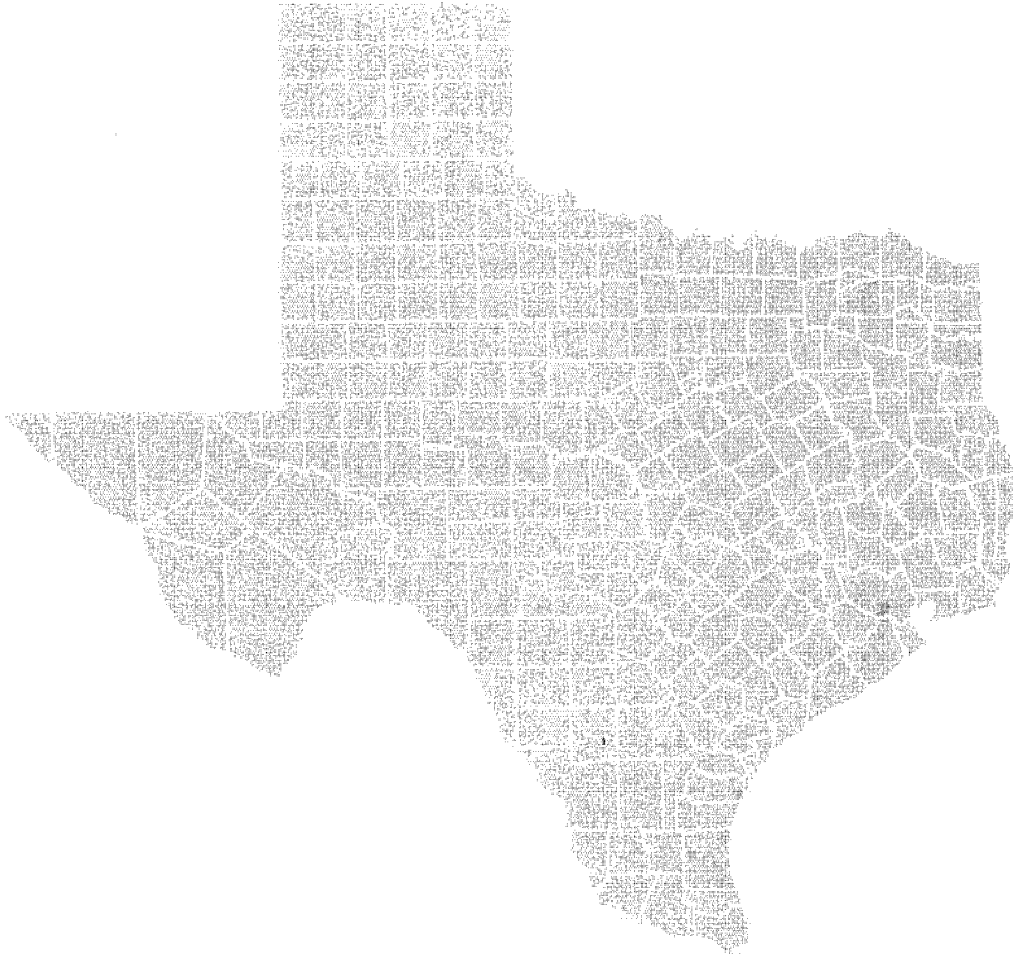


LIGHTHOUSE OPINION POLLING
Fall 2010 Statewide Landscape Benchmark Survey

Special Presentation for Senate Republican Caucus

January 10, 2011



A Texas Based Public Affairs
Survey Firm Since 1989

Keats Norfleet 512-615-1118
Bryan Epstein 817-291-8744

LightHouse
Opinion Polling And Research LLC

TX_00003711
JA_001166

Exhibit 8

FALL 2010 STATEWIDE LANDSCAPE BENCHMARK SURVEY
 1,200 Voters Interviewed • October 15-17, 2010 • $\pm 2.9\%$ Margin of Error • 95% Confidence Level

Actual Demographic Profile of Survey Respondents

Geographic Zones (Based on Actual General Election Turnout for 2006-2008)

19% Greater Houston
 15% Metroplex East
 13% Metroplex West
 9% San Antonio Area
 8% East Texas
 8% Gulf Coast
 8% Austin Area
 6% The Border
 5% Central Texas
 5% Panhandle
 4% West Texas

Gender

50% Male
 50% Female

Actual Primary History (06-10)

36% Republican
 32% Democratic
 9% Both
 24% None

Self-ID Profile of Survey's General Election Voters

Age Self-Profile of General Election Voters

Actual Voters	Est. 2010 Census
1% 18 – 24	10%
4% 25 – 34	21%
10% 35 – 44	19%
18% 45 – 54	19%
25% 55 – 64	15%
42% 65 & older	16%
1% Refused	

Partisan Self-Profile of General Election Voters

38% Republican
 18% Leaning Republican
 23% Democratic
 10% Leaning Democratic
 11% Independent

Ethnic Self-Profile of General Voters

77% White (includes Hispanic who self-ID as White)
 8% Hispanic
 6% Black
 1% Asian-American
 5% Other
 3% Refused

State Bar

84%
 7%
 4%

2009 Texas Census

82% White including Hispanic
 37% Hispanic / Latino ONLY
 12%

Social Media Profile of General Election Voters

"How frequently do you use the following electronic communications?"

	Often	Sometimes	Rarely	Don't Use Them At All
"email?"	63%	12%	6%	20%
"Facebook?"	18%	11%	11%	60%
"On-line local newspaper?"	20%	18%	18%	44%

Single most important problem facing Texas

	REP	DEM	
32%	45%	18%	Illegal immigration
25%	23%	26%	Jobs and the economy
14%	9%	20%	Quality of public school education
8%	4%	11%	Health care costs
6%	6%	6%	Property taxes
2%	1%	3%	Air and water pollution
4%	3%	5%	Crime and Drugs
1%	1%	1%	Traffic mobility
9%	8%	11%	Something else/Undecided

Immigration / Border Security Reform

“Do you favor or oppose passing immigration reforms in Texas similar to those recently passed in Arizona?”

	REP	DEM		White	Black	Hispanic
64%	81%	42%	Favor	68%	44%	35%
30%	13%	50%	Oppose	26%	42%	60%
6%	6%	8%	Undecided	6%	14%	4%

“Do you favor or oppose some form of amnesty for illegal immigrants who currently hold jobs in the U.S.?”

	REP	DEM		White	Black	Hispanic
41%	28%	57%	Favor	38%	42%	66%
53%	65%	37%	Oppose	55%	47%	30%
7%	7%	6%	Undecided	7%	11%	3%

“Do you favor or oppose continuing the policy of granting US citizenship for all children born in the United States regardless of the citizenship of their parents?”

	REP	DEM		White	Black	Hispanic
41%	24%	58%	Favor	36%	59%	61%
56%	72%	38%	Oppose	61%	33%	35%
4%	4%	4%	Undecided	3%	8%	4%

PHOTO VOTER ID Requirement

“Do you favor or oppose requiring a valid photo ID before a person is allowed to vote?”

	REP	DEM		White	Black	Hispanic
86%	94%	75%	Favor	86%	82%	83%
12%	5%	22%	Oppose	12%	17%	16%
2%	1%	3%	Undecided	2%	2%	1%

Abortion

“And on **abortion**, would you say that abortions should be allowed under all circumstances, only under some circumstances such as rape, incest and danger to the mother, or not at all?”

	<u>REP</u>	<u>DEM</u>	
28%	16%	37%	Allow abortions under all circumstances
47%	53%	41%	Abortions only in cases of rape, incest, or danger to the mother
17%	25%	13%	No abortions at all
7%	6%	8%	Undecided

“Do you favor or oppose **a woman’s right to have an abortion?**”

	<u>REP</u>	<u>DEM</u>	
49%	33%	65%	Favor
42%	56%	28%	Oppose
10%	11%	7%	Undecided

“Do you favor or oppose “mandating that all women seeking abortions **must be shown a sonogram** prior to having their abortion?”

	<u>REP</u>	<u>DEM</u>		<u>White</u>	<u>Black</u>	<u>Hispanic</u>
51%	63%	39%	Favor	52%	44%	50%
41%	29%	53%	Oppose	40%	53%	45%
8%	7%	8%	Undecided	8%	3%	5%

Gambling

“Do you favor or oppose legalizing **casino gambling** in Texas?”

	<u>REP</u>	<u>DEM</u>		<u>White</u>	<u>Black</u>	<u>Hispanic</u>
49%	40%	58%	Favor	47%	59%	60%
45%	55%	38%	Oppose	47%	36%	39%
5%	5%	4%	Undecided	5%	5%	1%

Eminent Domain

“And based on what you know, do you agree or disagree that **property owners have a right to be reimbursed for reduced access to their property** when they have adjoining property that is taken through eminent domain?”

	<u>REP</u>	<u>DEM</u>	
81%	83%	79%	Agree
9%	7%	11%	Disagree
10%	10%	10%	Undecided

National Health Care Reform

"Do you favor or oppose the national health care reform plan passed by Congress earlier this year?"

	REP	DEM		White	Black	Hispanic
29%	8%	55%	Favor	25%	58%	47%
63%	86%	35%	Oppose	68%	23%	46%
8%	6%	11%	Undecided	8%	20%	8%

"And do you favor or oppose requiring every American to buy or obtain health insurance?"

	REP	DEM	
33%	15%	53%	Favor
60%	80%	39%	Oppose
7%	5%	8%	Undecided

"And under the new health care reform plan, do you feel the quality of health care in Texas will get better, worse or stay about the same?"

	REP	DEM		White	Black	Hispanic
18%	5%	35%	Better	13%	55%	34%
55%	79%	28%	Worse	60%	12%	37%
22%	12%	31%	Stay the same	22%	26%	27%
5%	4%	6%	Undecided	5%	8%	3%

"And under the new health care reform plan, do you feel the cost of health care in Texas will go up, go down or stay about the same?"

	REP	DEM		White	Black	Hispanic
71%	89%	48%	Costs go up	75%	52%	54%
7%	3%	13%	Costs go down	7%	8%	12%
17%	6%	33%	Stay the same	15%	26%	29%
5%	3%	7%	Undecided	4%	15%	4%

	TOTAL		GEOGRAPHIC ZONE										AGE				ETHNICITY			
	METRO EAST	WEST	METRO WEST	EAST TEXAS	HOUS TON	GULF COAST	SAN ANTON	AUSTIN CENT TEXAS	THE BORDR TEXAS	WEST TEXAS	PAN HANDL	18-44	45-54	55-64	65+	WHITE	BLACK	HISP ANIC		
TOTAL	1200	179	156	92	225	98	107	99	65	75	45	59	168	221	295	505	911	66	116	
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	
Q81																				
Favor	1028	153	143	82	195	87	87	67	60	63	40	51	148	197	257	418	787	54	96	
	85.7%	85.5%	91.7%	89.1%	86.7%	88.8%	81.3%	67.7%	92.3%	84.0%	88.9%	86.4%	88.1%	89.1%	87.1%	82.8%	86.4%	81.8%	82.8%	
Oppose	148	19	9	10	27	7	20	27	5	11	5	8	18	18	37	75	108	11	19	
	12.3%	10.6%	5.8%	10.9%	12.0%	7.1%	18.7%	27.3%	7.7%	14.7%	11.1%	13.6%	10.7%	8.1%	12.5%	14.9%	11.9%	16.7%	16.4%	
Undecided	24	7	4		3	4		5		1			2	6	1	12	16	1	1	
	2.0%	3.9%	2.6%		1.3%	4.1%		5.1%		1.3%			1.2%	2.7%	.3%	2.4%	1.8%	1.5%	.9%	

(continued)

TX_00003716
JA_001171

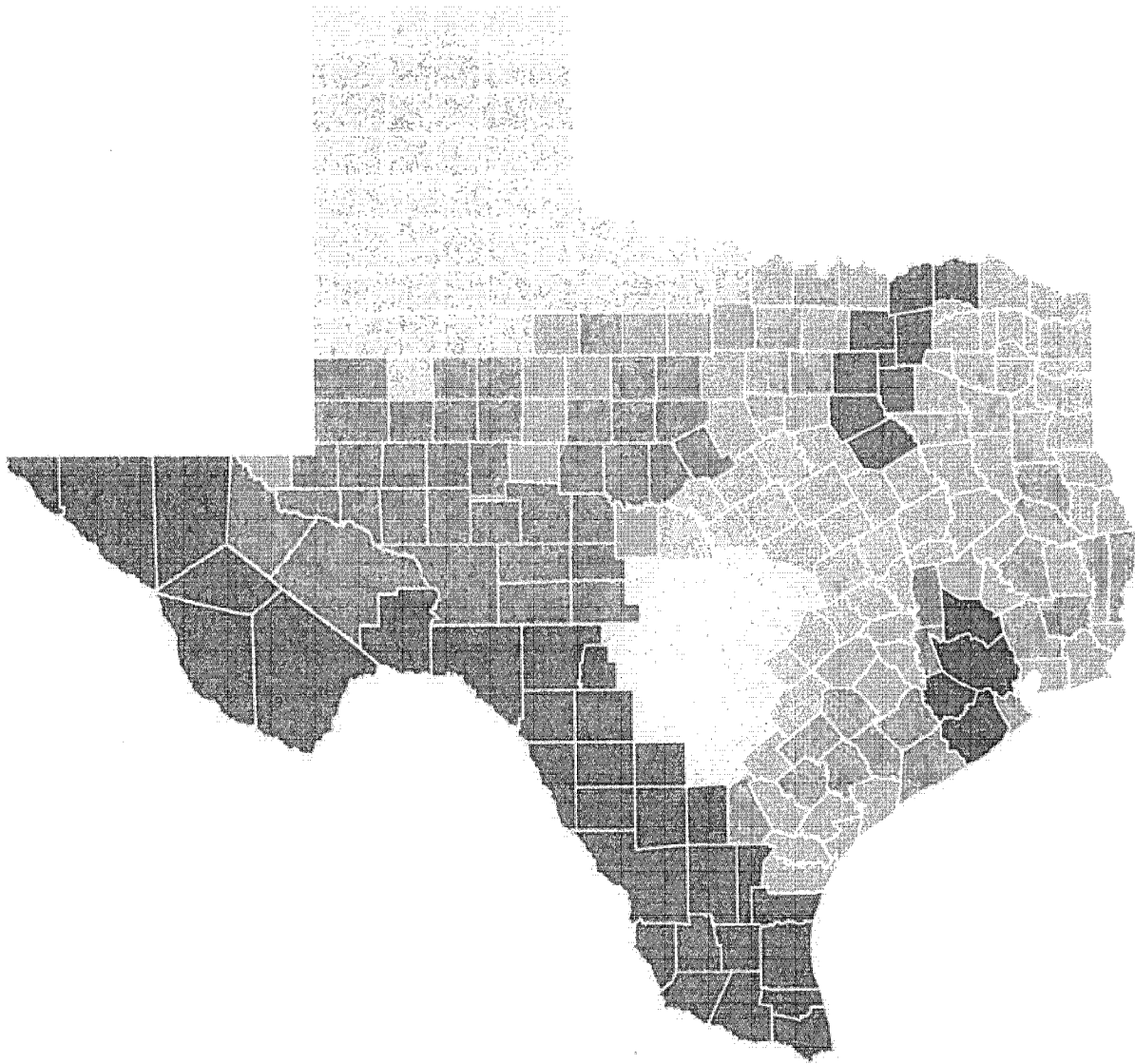
Texas Interested Citizens
Fall 2010 Statewide Landscape Benchmark Survey
October 15-17, 2010

81. requiring a valid photo ID before a person is allowed to vote?

	TOTAL		SEX		GENDER/PRIMARY								PRIMARY HISTORY		PARTISAN SELF-ID		WATCH FOX		USE EMAIL, FB		USE ON-LN NEWS	
	MALE	FE-MALE	MALE REP	MALE DEM	MALE NONE	FEM REP	FEM DEM	FEM NONE	REPUB LICAN	DEMO CRAT	DEMO/ INDEMN	REPUB INDE PNDWT	OFTEN EARLY NEVER	OFTEN	OFTEN	OFTEN	OFTEN	OFTEN	OFTEN	OFTEN		
TOTAL	1200	600	600	221	194	143	213	186	139	434	380	395	677	128	506	391	752	216	237	100%	100%	
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	
Q81 Favor	1028	512	516	207	144	125	199	142	123	406	286	285	636	107	465	289	639	176	200	85.7%	85.3%	
	85.7%	85.3%	86.0%	93.7%	74.2%	87.4%	93.4%	76.3%	88.5%	93.5%	75.3%	72.2%	93.9%	83.6%	91.9%	73.9%	85.0%	81.5%	84.4%	85.7%	85.3%	
Oppose	148	78	70	12	45	15	11	37	13	23	82	104	31	13	34	90	103	35	34	12.3%	13.0%	
	12.3%	13.0%	11.7%	5.4%	23.2%	10.5%	5.2%	19.9%	9.4%	5.3%	21.6%	26.3%	4.6%	10.2%	6.7%	23.0%	13.7%	16.2%	14.3%	12.3%	13.0%	
Undecided	24	10	14	2	5	3	3	7	3	5	12	6	10	8	7	12	10	5	3	2.0%	1.7%	
	2.0%	1.7%	2.3%	.9%	2.6%	2.1%	1.4%	3.8%	2.2%	1.2%	3.2%	1.5%	1.5%	6.3%	1.4%	3.1%	1.3%	2.3%	1.3%	2.0%	1.7%	
(continued)																						

(continued)

Survey Geographic Zones



TX_00003718
JA_001173



Rebecca Davis

JA_001174 Exhibit 9

_00003719

Congress of the United States
Washington, DC 20515

January 25, 2011

Chairman Van de Putte,

We are saddened that the promulgation of a misguided voter identification law has been given precedence in the 2011 Texas Legislative agenda over education, job creation, and providing Texans with access to affordable, quality healthcare. The people of Texas deserve to have their legislature focus your time on issues that will improve their lives, rather than one which is more likely to worsen them.

Study after study has found almost no evidence of organized voter fraud, in Texas or anywhere in the country. There is simply no reason to believe that voter fraud is a pressing problem for Texas. But we know with certainty that voter identification laws prevent eligible voters from exercising their constitutional rights. Research has shown that a law like SB 14 would disenfranchise tens or even hundreds of thousands of Texans, the majority of them people of color, senior citizens, the disabled, students, and low income voters.

We write to urge the Texas Senate to redirect its efforts toward legislation which would better serve your constituents and the State of Texas. There is so much good you can do. Please, oppose SB 14.

Sincerely,

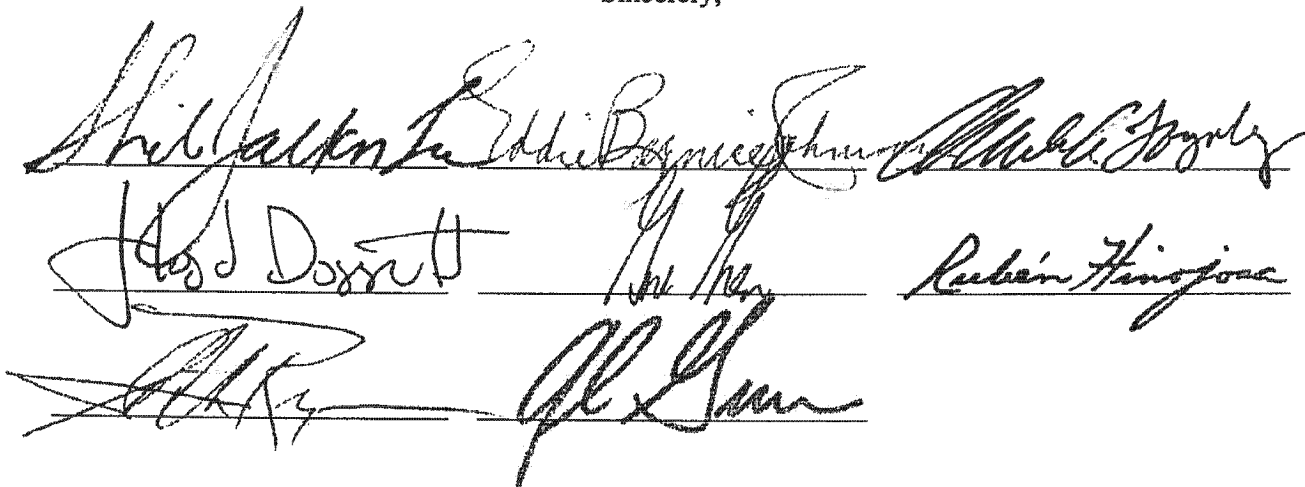


Exhibit 10

PRINTED ON RECYCLED PAPER

TX_00003720
JA_001175

TX_00003720

SOUTHWEST VOTER REGISTRATION EDUCATION PROJECT (SVREP)

**TESTIMONY OF SOUTHWEST VOTER REGISTRATION EDUCATION PROJECT
(SVREP) ON SB14**

**Senate Committee of the Whole
82nd Legislature Regular Session
Austin, Texas**

Tuesday, January 25, 2011

Testimony Prepared and Presented by
Lydia Camarillo
SVREP Vice President

SVREP

National Office

206 Lombard Street, 2nd Floor

San Antonio, Texas 78226

210-922-0225

www.svrep.org

Exhibit 11

**THE TESTIMONY OF
SOUTHWEST VOTER REGISTRATION EDUCATION PROJECT (SVREP)**

TX_00003721
ON SB14
JA_001176

SOUTHWEST VOTER REGISTRATION EDUCATION PROJECT (SVREP)

SVREP Vice President

Lt Governor Dewhurst, Senator Duncan, Senator Van De Putte and Senate members of the 82nd Legislative session, Senate Committee of the Whole (COW), I am Lydia Camarillo, Vice President for Southwest Voter Registration Education Project (SVREP), the largest and oldest nonpartisan, nonprofit organization of its kind with a simple mission to increase the number of Latino and other ethnic communities who are registered to vote and participate in America's democracy as full and equal partners. Founded in San Antonio, Texas, by the late William C. Velásquez, SVREP has registered over 2.5 million Latino voters throughout Texas, the southwest and, since 2000, the southeast. SVREP has won over 80 voting rights lawsuits and has prepared over 100,000 leaders to organize their communities. In *Gonzalez vs. Arizona*, Mexican American Legal Defense and Educational Fund (MALDEF) brought a Federal Court challenge to Arizona's voter registration and identification provisions of Arizona's Proposition 200. SVREP is one of the plaintiffs in that case.

SVREP vehemently opposes **SB14**. We firmly believe that SB14 will disenfranchise hundreds of thousands of Texas voters – citizen's whose right to vote will be harmed. Simply speaking, the right to vote and their constitutional right to vote will be violated and their vote will not be counted. We urge the Senate to focus on the real emergencies the State of Texas faces this legislative cycle – 2011 - and avoid spending precious time and resources on a proposed bill that is not only redundant, accomplishes nothing to fix the alleged voter-in person fraud, is partisan in nature, violates the Voting Rights Act and American citizens' right to vote. SB14 will also cost Texas tax payers as much as \$5 million per year to implement. This is at time when we are cutting services in public education and our budget shortfall is expected to be well beyond \$15 billion. We believe that as many as 2 million Texans –American citizens - could be disenfranchised if SB14 passes and is made into law.

Many of the voters who are disenfranchised will be Latino, African American, Asian, Native America and white elderly voters. We also believe that this legislation will have little impact in reducing alleged in-person voting fraud that this bill is purportedly designed to prevent. A two-year \$1.4 million investigation by Attorney General Greg Abbott in 2006 demonstrated that in-person voting fraud is virtually non-existent in Texas under existing voting regulations and laws.

Voter Impersonation fraud does not exist – despite the State of Texas spending millions of dollars to investigate and stop voter fraud, the Attorney General of Texas has never prosecuted a single case of a voter impersonating another voter at the polls.

TX_00003722
JA_001177

SOUTHWEST VOTER REGISTRATION EDUCATION PROJECT (SVREP)

Voter ID does not address most common election fraud or other more common election related problems. Thousands of eligible Texans are denied the right to register to vote and many eligible voters are turned away from the polls every election. We need to spend time ensuring that every eligible Texan who has the right to vote, votes, instead of wasting time and resources addressing a nonexistent issue.

This legislation will be costly for the State and Counties to implement. It estimated that it will cost the Department of Public Safety (DPS) \$3 million per year to provide the “free” cards. A voter id card that is clearly not free. It will cost an additional \$2 million per year for public education. Balance this cost with the anticipated \$15 billion budget shortfall the state faces this year (the \$5 million price tag for SB14 is 33% of this deficit). Texas tax payers are expected to have fewer resources for public education, and pay up to \$5million a year for a voter ID card that will not stop the alleged, but non-existent, in person voters’ fraud. The Loss of revenue from issuing voter ID cards, money spent training Poll worker could be used to build new schools, our infrastructure, create new jobs and help Texans keep their homes.

Texas legislators must take affirmative steps to promote the participation of American citizen’s voting and participating in America’s democracy. Texas legislators should also oppose legislation that serves to confuse citizens, contradict federal law, creates an undo financial burden to poor white, Latino and African American registered voter, and creates an undo financial burden for Texas counties. These Texas Counties are facing their own financial shortfalls. SB14 will further aggravate this burden, and the burden to county and state taxpayers.

SVREP opposes this bill because it would have a negative impact on Latino voter registration and potentially violate federal election laws including the Voting Rights Act, the National Voting Registration Act, and the Help America Vote Act. This bill will only serve to depress voter registration of Latino, other ethic communities, and the poor. For these reasons urges your opposition to SB14, too.

SB14 will create redundancy and multiple identification requirements for voters. SVREP believes that Texas law provides for proof of identification and this bill will only create confusion; create a more burdensome voting experience for both the voter and the poll workers. Texas law requires that voter registration applicants must affirmatively mark their US citizenship under penalty of perjury and submit their affidavit application either in person or by a business reply postcard. Elec. Code, Section 13.121. In our extensive experience in registering voters, over the last 37 years, it is rare for a voter to have their naturalization, passport or birth certificate on hand when a voter registers to vote. Many eligible United

SOUTHWEST VOTER REGISTRATION EDUCATION PROJECT (SVREP)

different documents. A voter that has had his or her wallet stolen, a voter that does not drive, or newly married and not updated his or her driver's license should not have their right to vote infringed upon.

SVREP's analysis of SB14 clearly reveals that this bill would only contradict the spirit of the author's intent which we believe is to ensure that voter's rights are protected, facilitate the voting process and increase the universe of eligible voters who are voting and participating in America's democracy. The intent of this bill could only be to decrease the number of American citizens who take the opportunity to vote in Texas elections and it would be harmful to Latino voters.

Thank you Lt Governor, Senators, we urge you to oppose **SB14**. The bill will only suppress Latino, African American, and poor and elderly white voter registration and contradict Federal election laws.

Mr. Dewhurst, Senators, we stand ready to work with you to find solutions to the budget shortage, providing a quality education and making sure that Texas prospers economically and socially. Senators let us get to work for what is really at stake, let us not waste any more time on SB14.

Respectfully submitted and thank you.



League of United Latin American Citizens

LUIS ROBERTO VERA, JR.
National General Counsel

January 12, 2011

To: The Honorable State Senators of Texas
Re: Committee Considering Voter Identification Bill

**LULAC's OBJECTION AND ARGUMENT AGAINST
VOTER IDENTIFICATION BILL**

LULAC through it's National and State of Texas board of directors unanimously call on you, the State Legislators of Texas to stand with us in protecting the Voting Rights of all the citizens of Texas. In addition LULAC ask you to protect the voting rights of the Latino voters as mandated by sec. 5 and sec. 2 of the Voting Rights Act. Specifically, LULAC argues against the passage of any voter identification bill until such time as Texas can guarantee zero tolerance of voter discrimination and implement all protection in the Voting Rights Act and as ordered by the US Supreme Court. Given the history of Texas, this will be a long time in coming.

Recent History:

In 2005, 2006, 2007, the Voting Rights section of the Department of Justice filed 10 separate lawsuits against Texas. All 10 suits were for discrimination against Mexican Americans and 1 of the suits involved discrimination against Mexican Americans and African Americans combined. There was also a separate lawsuit in Harris County for discrimination against Vietnamese Americans. All suits were successful against Texas and Texas entered into consent agreements to correct the discrimination. During this same time period several suits were brought by LULAC and MALDEF against Texas and separate individual government entities for discrimination against Mexican Americans. In, ***LULAC v. Perry*** the US Supreme Court found that Texas purposely discriminated against Mexican Americans in congressional district 23 for nothing more than political purposes. The US Supreme court ordered a remedy. In ***Farmers Branch, Texas***, the federal courts have enjoined the City from implementing discriminatory ordinances, which has the effect of targeting people of Mexican descent. The federal court found the ordinance unconstitutional. Texas has spent millions of taxpayer dollars to defend and remedy these suits.

Exhibit 12

TX_00003725
JA_001180

Below are some excerpts from the *US v. Hale County TX* complaint brought by the Voting Rights section for purposeful discrimination against Mexican Americans. Hale County entered into a consent agreement to correct the problem.

12. Section 208 of the Voting Rights Act provides that "[a]ny voter who requires assistance to vote by reason of blindness, disability, or inability to read or write may be given assistance by a person of the voter's choice, other than the voter's employer or agent of that employer or officer or agent of the voter's union." **42 U.S.C. § 1973aa-6.**

13. In violation of Section 208, the Defendants, their employees, and agents have failed to allow voters the assistants of their choice through the following practices:

- a) Prohibiting family members and poll watchers from providing assistance to limited English proficient Spanish-speaking citizens.
- b) Requiring Spanish-speaking voters to be assisted by poll workers who either did not speak Spanish or did not speak Spanish fluently.
- c) Failing to accurately and adequately instruct poll workers on their duty to permit voter's assistance from any person of their choice, other than their employers or union officials.

14. Defendants' failure to allow voters to receive necessary assistance from any person of their choice, other than their employers or union officials, as described herein, is a violation of Section 208 of the Voting Rights Act. **42 U.S.C. § 1973aa-6.**

15. Unless enjoined by this Court, Defendants will continue to violate Section 208 by failing to provide Hale County's voters with the opportunity to receive assistance from persons of the voters' choice and by limiting the scope of the assistance voters can receive from their chosen assistants.

SECOND CAUSE OF ACTION

16. The Plaintiff hereby alleges and incorporates by reference paragraphs one through sixteen above.

17. Under Section 203 of the Voting Rights Act, "any registration or voting notices, forms, instructions, assistance, or other materials or information relating to the electoral process, including ballots" that Defendants provide in English must also be furnished in Spanish to Spanish-speaking voters. **42 U.S.C. § 1973aa-1a(c).**

18. In violation of Section 203, the Defendants, their employees, and agents have not effectively provided election-related materials and information in Spanish to limited English proficient Hispanic citizens as required by Section 203 of the Voting Rights Act, including, but not limited to, the following:

- a) Failing to recruit, appoint, train, and maintain an adequate pool of bilingual poll officials capable of providing effective language election information and assistance to limited English proficient Spanish-speaking citizens that it provides in English; and
- b) Failing to provide certain election-related information that it provides in English, including, but not limited to, information publicizing elections, in a manner that assures Spanish-speaking voters an effective opportunity to be informed about election-related activities.

19. Defendants' failure to provide effective Spanish language materials and information, as described herein, constitutes a violation of Section 203 of the Voting Rights Act, **42 U.S.C. §1973aa-1a(c)**.

NVRA (National Voter Registration Act)

Section 7 of the Act requires states to offer voter registration opportunities at all offices that provide public assistance and all offices that provide state-funded programs primarily engaged in providing services to persons with disabilities. Each applicant for any of these services, renewal of services, or address changes must be provided with a voter registration form of a declination form as well as assistance in completing the form and forwarding the completed application to the appropriate state or local election official.

Before Consideration of Voter ID Bill

Texas must put a premium on election judges that are bi-lingual and that represent a cross section of the community, Hispanic, African American, Asian.... etc.

Under Sec. 5 of the VRA, Texas has the burden to prove that any voter id plan is not discriminatory. With this in mind, Texas needs to have solid numbers of who does and who does not have "valid" ID's.

In *Georgia v. Ashcroft* the ID requirement was found to be unconstitutional until Georgia made ID's available for free, including secondary documents (birth certificates ...etc) and implemented a strong voter education program, including how to get ID's was in place. The court also ordered a sufficient time period for voters to be educated and able to get their ID's.

It is clear from the Georgia decision that voter id in Texas could not be done this year or at any time, until the legislature first allocates the resources and design a plan to provide free id's together with all secondary documents, and Texas must fund and implement a strong voter education program for the voter id process together with the other protections ordered by the court.

Options:

- Give everyone a free ID and supporting documents, ie. Birth certificates
- If the presumption is that having valid ID (drivers license) is citizenship, then provide automatic voter registration when a driver's license or other "valid" id is issued.

- Pursuant to the national voter registration act, Texas must make photo ID's available for free wherever voter registration is available.
- Put premium on election judges that are bi-lingual and represent cross section of community, Hispanic, African American, Asian....etc.

To abandon a system that has fairly allowed Latino's to gain political strength in Texas and substitute in its place a system that has the potential of greatly increasesing the voting strength of the Anglo population and dilutes Latino votes is likely to "lead to a retrogression in the position of racial minorities with respect to their effective exercise of the electoral franchise." **Miller v. Johnson, 515 U.S. 900, 926 (1995) (quoting Beer v. United States, 425 U.S. 130, 141 (1976).**

In light of the fact that the proposed change brought forward by the Texas legislative committee is likely to violate both section's 5 and 2 of the federal Voting Rights Act, LULAC urges you to NOT ADOPT the proposed voter id bill.

LULAC has participated in over 400 court ordered elections in Texas since adoption of the Voting Rights Act and will vigorously challenge any voter id bill. LULAC is ready to pursue an objection before the voting rights section of the department of justice and if necessary the federal district courts to stop any voter id bill until such time as Texas adheres to LULAC's objections, recommendations and options.

Respectfully submitted on behalf of the National and Texas State Board of the League of Untied Latin American Citizens.

/S/ Luis Roberto Vera, Jr.
Luis Roberto Vera, Jr.

cc: Margaret Moran, LULAC National President
Joey Cardenas, LULAC Texas Director

SENATE JOURNAL

EIGHTY-SECOND LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

FIFTH DAY

(Tuesday, January 25, 2011)

The Senate met at 11:22 a.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Birdwell, Carona, Davis, Deuell, Duncan, Ellis, Eltife, Estes, Fraser, Gallegos, Harris, Hegar, Hinojosa, Huffman, Jackson, Lucio, Nelson, Nichols, Ogden, Patrick, Rodriguez, Seliger, Shapiro, Uresti, Van de Putte, Watson, Wentworth, West, Whitmire, Williams, Zaffirini.

The President announced that a quorum of the Senate was present.

The Reverend J. Patrick Hazel, Saint David's Episcopal Church, Austin, offered the invocation as follows:

Grant, O God, that Your holy and life-giving spirit may so move every human heart, and especially the hearts of the women and men of this Texas Senate, that barriers which divide them may crumble, suspicions disappear, hatreds cease; that bonds which unite them may blossom, trust reappear, and love abound; so that their divisions being healed, they may live in and work for justice and peace for all citizens of the State of Texas. This we ask in the name of You who are the God of all—*Dios de toda la gente*—Jews, Muslims, Christians, Buddhists, Hindus, and those who do not believe. Amen.

Senator Whitmire moved that the reading of the Journal of the proceedings of yesterday be dispensed with and the Journal be approved as printed.

The motion prevailed without objection.

PHYSICIAN OF THE DAY

Senator Huffman was recognized and presented Dr. Rosanne Popp of Houston as the Physician of the Day.

The Senate welcomed Dr. Popp and thanked her for her participation in the Physician of the Day program sponsored by the Texas Academy of Family Physicians.

TX_00002682
JA_001184

TX_00002682

SENATE RESOLUTION 52

Senator Zaffirini offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize the members of the Washington's Birthday Celebration Association and the association's president, Susan Foster, on their successful annual planning of the celebration of Washington's Birthday in Laredo; and

WHEREAS, Every year, the citizens of Laredo celebrate the birthday of the Father of Our Country; the Washington's Birthday Celebration Association sponsors the celebration to pay tribute to the memory of George Washington and to his virtues and his patriotism; the 114th celebration will take place from January 20 through February 20, 2011; and

WHEREAS, Since its beginning as a two-day event in 1898, the Washington's Birthday Celebration gradually has evolved into a grand celebration entailing numerous events in the United States and in Mexico; spectators and participants enjoy marching bands and floats, spectacular fireworks displays, food, games, and entertainers from both sides of the border; and

WHEREAS, The yearly celebrations exemplify the spirit and enthusiasm of Laredoans and the pride they take in their city and country; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 82nd Legislature, hereby commend the members of the Washington's Birthday Celebration Association on their patriotism and their dedication and extend best wishes to them for a joyous 114th birthday celebration; and, be it further

RESOLVED, That a copy of this Resolution be prepared for the association as an expression of highest regard from the Texas Senate.

SR 52 was read and was adopted without objection.

GUESTS PRESENTED

Senator Zaffirini was recognized and introduced to the Senate Washington's Birthday Celebration Association President Susan Foster, Betty Ann Bunn Moreno, Frank C. Averill, Jr., Rosemary Therese Santos, Alex Jacob Cavazos, Katarina Garcia, Evan A. Valls, Paloma Chapa Mendoza, and Ernesto Knosel Reina.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Birdwell was recognized and introduced to the Senate citizens of Hewitt: Adam Miles, City Manager; Charlie Turner, Mayor; and Wilbert Wachtendorf, City Councilmember.

The Senate welcomed its guests.

SENATE RESOLUTION 34

Senator Duncan offered the following resolution:

SR 34, Recognizing January 25, 2011, as Lubbock Day at the State Capitol.

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Duncan was recognized and introduced to the Senate Irasema Velasquez, Lubbock Chamber of Commerce Chair; Joe Rapier, former Chamber of Commerce Chair; and Tim Collins, Chamber of Commerce Chair-elect; accompanied by a delegation of citizens from Lubbock.

The Senate welcomed its guests.

SENATE RESOLUTION 60

Senator Gallegos offered the following resolution:

SR 60, Recognizing January 25, 2011, as East End Chamber Day at the State Capitol.

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Gallegos was recognized and introduced to the Senate representatives of the Houston East End Chamber of Commerce: President Frances Castañeda Dyess, Steve Stewart, Bill Johnson, Todd Monette, Johnny Bright, and Diane Schenke.

The Senate welcomed its guests.

SENATE RESOLUTION 72

Senator Lucio offered the following resolution:

SR 72, Recognizing January 25, 2011, as Brownsville Day at the State Capitol.

(Senator Eltife in Chair)

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Lucio was recognized and introduced to the Senate Pat Ahumada, Mayor of Brownsville; John Reed, Chair, Port of Brownsville; Arturo Farias, Chair, Public Utilities Board; Ernie Hernandez, Cameron County Commissioner; and Rose Gowen, Chair, Community Improvement Corporation of Brownsville.

The Senate welcomed its guests.

(President in Chair)

SENATE RESOLUTION 87

Senator Patrick offered the following resolution:

SR 87, Honoring the efforts of the Boot Campaign and its contributions to United States active duty service members and veterans.

The resolution was read.

On motion of Senator Uresti and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Patrick, the resolution was adopted without objection.

GUESTS PRESENTED

Senator Patrick was recognized and introduced to the Senate the "Boot Girls" of the Boot Campaign: Leigh Ann Ranslem, Sherri Reuland, Mariae Bui, and Heather Fordham.

The Senate welcomed its guests.

SENATE RESOLUTION 91

Senator Nichols offered the following resolution:

SR 91, Recognizing January 25, 2011, as Texas Merchandise Vending Association Day at the State Capitol.

NICHOLS
ELTIFE

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Nichols, joined by Senator Eltife, was recognized and introduced to the Senate the Texas Merchandise Vending Association delegation and the President of the association, Patrick Moran.

The Senate welcomed its guests.

SENATE RESOLUTION 29

Senator Harris offered the following resolution:

WHEREAS, Danny F. Vance of Arlington is retiring from the Trinity River Authority of Texas on February 28, 2011, after four decades of outstanding service to the agency; and

WHEREAS, A native Texan, Danny Vance was born in Galveston in 1943, and he was raised alongside his brother, Benny, and his sister, Janis, in Palestine; he graduated from Palestine High School in 1962, and he went on to attend Sam Houston State University, where he earned a bachelor's degree in 1966, served as a graduate assistant, and attained a master's degree in business administration in 1968; he also earned a teaching certificate, and for two years he served in the United States Army as a specialist stationed in Germany; and

WHEREAS, In 1970, Mr. Vance joined the Trinity River Authority as assistant to the manager of the Southern Region, and later that year he relocated to Arlington to serve as an administrative services manager for the agency; he also held the positions of general services manager and of regional manager of the Northern Region; in 1979, at the age of 35, he became general manager of the Trinity River Authority, and at the time he was the youngest manager of a major Texas river authority and only the second general manager in the agency's history; and

WHEREAS, During his tenure, Mr. Vance has overseen the creation of four regional potable water systems and three regional wastewater systems, as well as significant improvements to all nine regional systems, and the Trinity River Authority became the largest river authority in Texas, with major increases to its assets and annual operating budget; and

WHEREAS, Mr. Vance further dedicated his time to various regional water planning groups, and he served as president of the Texas Water Conservation Association; he was recognized by many for his leadership in balancing the need for adequate water supplies for a growing population with the environmental needs of the Trinity Basin and the Trinity Bay and Estuary; and

WHEREAS, In all of his endeavors, Mr. Vance enjoys the love and support of his wife, Janet, whom he married in 1967; the Vances are looking forward to their future retirement; and

WHEREAS, Danny Vance has demonstrated an unwavering commitment to excellence over the course of his career, and he may indeed reflect with great pride on his professional achievements as he prepares to embark on the next exciting chapter of his life; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 82nd Legislature, hereby congratulate Danny F. Vance on his retirement from the Trinity River Authority of Texas and extend to him sincere best wishes for continued happiness; and, be it further

RESOLVED, That a copy of this Resolution be prepared for Mr. Vance as an expression of high regard from the Texas Senate.

SR 29 was again read.

The resolution was previously adopted on Monday, January 24, 2011.

GUESTS PRESENTED

Senator Harris was recognized and introduced to the Senate Danny Vance and his wife, Janet; Trinity River Authority of Texas Executive Committee Chairman, Michael Cronin; President of the Board, Linda Timmerman; and Vice-president of the Board, Harold Barnard.

The Senate welcomed its guests.

SENATE RESOLUTION 85

Senator Lucio offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize Fethullah Gülen for his ongoing and inspirational contributions to the promotion of global peace and understanding; and

WHEREAS, A Turkish scholar, author, poet, preacher, and educational activist, Fethullah Gülen has inspired a worldwide social movement that promotes humanistic values and service and is known as the Hizmet Movement or the Gülen Movement; and

WHEREAS, Based on the principle that each human being is of value, regardless of background, faith, or culture, the Gülen Movement offers a multifaceted approach to seeking world peace; it places a strong emphasis on intercultural understanding and the embracing of differences; it values compassionate acts of care and concern; and it promotes the importance of education in laying the groundwork for fostering better relationships between diverse populations; and

WHEREAS, The Gülen Movement emphasizes the core concept that peace is a function of tolerance and dialogue; it offers "Living to let others live" as the foundation of a life of altruistic service and calls on the younger generation to combine intellectual enlightenment with spirituality to make the world a better place; and

WHEREAS, The strength of the universal values promoted by the movement has led to the creation of the Gülen Institute at the University of Houston, which promotes academic research as well as grassroots activity as a means to bring about positive social change; Fethullah Gülen and the movement for social justice he inspired are truly deserving of recognition for their impact on our global society; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 82nd Legislature, hereby commend Fethullah Gülen for his dedication to working toward a better world through education, service, tolerance, and the free exchange of ideas and extend to him best wishes for continued success in all his endeavors; and, be it further

RESOLVED, That a copy of this Resolution be prepared for him as an expression of esteem from the Texas Senate.

LUCIO
FRASER
HUFFMAN

NELSON
VAN DE PUTTE

SR 85 was read and was adopted without objection.

GUESTS PRESENTED

Senator Lucio was recognized and introduced to the Senate Congressmen Nurettin Canikli, Hasan Murat Mercan, Emin Nedim Ozturk, Abdullah Caliskan, Murat Yildirim, Mehmet Sahin, and Congresswoman Fatma Sahin, all from the Republic of Turkey.

The Senate welcomed its guests.

SENATE RESOLUTION 55

Senator Watson offered the following resolution:

SR 55, In memory of Joe Limon Avila of Austin.

On motion of Senator Watson, the resolution was read and was adopted by a rising vote of the Senate.

In honor of the memory of Joe Limon Avila, the text of the resolution is printed at the end of today's *Senate Journal*.

GUESTS PRESENTED

Senator Watson was recognized and introduced to the Senate Pauline Avila, widow of Joe Limon Avila, and Regina Estrada, his granddaughter.

The Senate welcomed its guests and extended its sympathy.

SENATE RESOLUTION 84

Senator Lucio offered the following resolution:

WHEREAS, The Senate of the State of Texas joins the citizens of South Texas and Texans across the state in honoring the victims of violence along our border with Mexico and paying tribute to the brave men and women who place their lives on the line in an effort to create a safe environment for us all; and

WHEREAS, In a continuing struggle for dominance of lucrative smuggling routes along the border, drug cartels have resorted to ever-escalating violence to achieve their aims, including the use of improvised explosive devices and grenades, piracy, the kidnapping and murder of government officials, and the killing of innocent civilians; and

WHEREAS, Coverage of this violence by Mexican media has been effectively silenced, with more than 20 journalists having been killed in the last four years; and

WHEREAS, This brutality and aggression has begun to have an effect on the United States and its citizens; consular workers and tourists have lost their lives, stray bullets from gunfire have landed on the campuses of The University of Texas at Brownsville and Texas Southmost College and The University of Texas at El Paso, and sporadic gun battles have caused the closure of international bridges; and

WHEREAS, Much progress has been made in the fight against the cartels; various police departments have initiated programs to increase enforcement, and the Texas Department of Public Safety, the game wardens of the Texas Parks and Wildlife Department, county sheriffs, and United States Customs and Border Patrol officers are cooperating to ensure the safety and well-being of border residents; and

WHEREAS, To remember, honor, and support the individuals and families on both sides of the border who are affected by the difficulties of our neighbors to the south, Senator Eddie Lucio has initiated Prayers for Peace, a special day of prayer and spiritual meditation on the need for peace along the border that takes place the second Thursday of each month; and

WHEREAS, Despite the violence and uncertainty, the Rio Grande Valley remains a vibrant, growing region that is proud of its rich history and traditions; it continues to be a leading destination for tourists and seasonal residents, and its citizens stand ready to face the future with confidence; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 82nd Legislature, hereby honor the victims of the senseless violence being perpetrated along our southern border and pay tribute to the brave men and women who are working tirelessly to end it; and, be it further

RESOLVED, That a copy of this Resolution be prepared as a reflection of the high regard of the Texas Senate for their sacrifice and their courage.

LUCIO
HINOJOSA
RODRIGUEZ

URESTI
ZAFFIRINI

(Senator Eltife in Chair)

SR 84 was read and was adopted without objection.

MESSAGES FROM THE GOVERNOR

The following Messages from the Governor were read and were referred to the Committee on Nominations:

January 19, 2011
Austin, Texas

TX_00002688
JA_001190

TX_00002688

TO THE SENATE OF THE EIGHTY-SECOND LEGISLATURE, REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

A&M UNIVERSITY SYSTEM BOARD OF REGENTS, TEXAS

John David White - Houston

Appointment Date: January 4, 2011

Expiration Date: February 1, 2015

ADMINISTRATIVE LAW JUDGE, CHIEF

Lyn Cathleen Parsley - Austin

Appointment Date: June 11, 2010

Expiration Date: May 15, 2012

AFFORDABLE HOUSING CORPORATION BOARD OF DIRECTORS, TEXAS STATE

Merrideth Jeran Akers - Plano

Appointment Date: September 1, 2009

Expiration Date: February 1, 2011

AGING AND DISABILITY SERVICES COUNCIL

Gary Don Newsom, M.D. - Austin

Appointment Date: July 16, 2009

Expiration Date: February 1, 2013

ALCOHOLIC BEVERAGE COMMISSION, TEXAS

Jose Cuevas, Jr. - Midland

Appointment Date: November 10, 2010

Expiration Date: November 15, 2015

ANGELINA AND NECHES RIVER AUTHORITY BOARD OF DIRECTORS

Dominick B. "Nick" Bruno, II - Jacksonville

Appointment Date: September 17, 2009

Expiration Date: September 5, 2015

Keith Drewery - Nacogdoches

Appointment Date: September 17, 2009

Expiration Date: September 5, 2015

James Edward Hughes, Jr. - Newton

Appointment Date: September 17, 2009

Expiration Date: September 5, 2015

ANIMAL HEALTH COMMISSION, TEXAS

Coleman Hudgins Locke - Wharton

Appointment Date: September 6, 2009

Expiration Date: September 6, 2015

Ralph Simmons - Tenaha

Appointment Date: September 6, 2009

Expiration Date: September 6, 2015

TX_00002689

JA_001191

TX_00002689

Beauregard Brite White - Rosanky

Appointment Date: September 6, 2009

Expiration Date: September 6, 2015

APPRAISER LICENSING AND CERTIFICATION BOARD, TEXAS

Malachi Obadiah Boyuls - Dallas

Appointment Date: June 30, 2010

Expiration Date: January 31, 2012

Luis Felipe De La Garza, Jr. - Laredo

Appointment Date: September 20, 2010

Expiration Date: January 31, 2012

Laurie Carden Fontana - Houston

Appointment Date: January 6, 2011

Expiration Date: January 31, 2012

Shannon K. McClendon - Dripping Springs

Appointment Date: January 6, 2011

Expiration Date: January 31, 2012

Sheryl R. Swift - Galveston

Appointment Date: June 30, 2010

Expiration Date: January 31, 2011

ARTS, TEXAS COMMISSION ON THE

Rita Esther Baca - El Paso

Appointment Date: September 21, 2010

Expiration Date: August 31, 2011

Dale Wills Brock - Wichita Falls

Appointment Date: March 15, 2010

Expiration Date: August 31, 2013

Linda Ann Hatchel - Woodway

Appointment Date: December 28, 2009

Expiration Date: August 31, 2015

Patty Hayes Huffines - Austin

Appointment Date: December 28, 2009

Expiration Date: August 31, 2015

Liza B. Lewis - San Antonio

Appointment Date: December 28, 2009

Expiration Date: August 31, 2015

Jacoba-Jetske S. "Cobie" Russell - Dallas

Appointment Date: December 28, 2009

Expiration Date: August 31, 2015

Stephanie Shawn Stephens - Houston

Appointment Date: December 28, 2009

Expiration Date: August 31, 2015

ASSISTIVE AND REHABILITATIVE SERVICES COUNCIL

Judy Castle Scott - Dallas

Appointment Date: November 29, 2010

Expiration Date: February 1, 2015

AUTISM AND PERVASIVE DEVELOPMENTAL DISORDERS, TEXAS
COUNCIL ON

Callie M. Matthews - Fort Worth

Appointment Date: June 30, 2010

Expiration Date: February 1, 2011

Pamela R. Rollins, Ed.D. - Dallas

Appointment Date: June 30, 2010

Expiration Date: February 1, 2012

Glenn Roque-Jackson - Plano

Appointment Date: June 30, 2010

Expiration Date: February 1, 2012

Stephanie Sokolosky - Lubbock

Appointment Date: June 30, 2010

Expiration Date: February 1, 2012

BRAZOS RIVER AUTHORITY BOARD OF DIRECTORS

Michael "Todd" Brashears, Ed.D. - Wolforth

Appointment Date: December 3, 2009

Expiration Date: February 1, 2015

William Arthur "Bill" Masterson - Guthrie

Appointment Date: March 15, 2010

Expiration Date: February 1, 2013

Jeffrey Tallas - Sugar Land

Appointment Date: May 27, 2010

Expiration Date: February 1, 2015

CANCER PREVENTION AND RESEARCH INSTITUTE OF TEXAS
OVERSIGHT COMMITTEE

Joyce King - Plano

Appointment Date: May 5, 2010

Expiration Date: January 31, 2013

Samuel Philip Wilson - Austin

Appointment Date: March 12, 2010

Expiration Date: January 31, 2015

COASTAL COORDINATION COUNCIL

Bob McCan - Victoria

Appointment Date: June 9, 2009

Expiration Date: May 31, 2011

TX_00002691

JA_001193

TX_00002691

Jerry A. Mohn - Galveston

Appointment Date: June 9, 2009

Expiration Date: May 31, 2011

COASTAL WATER AUTHORITY BOARD OF DIRECTORS

Alan D. Conner - Dayton

Appointment Date: August 19, 2010

Expiration Date: April 1, 2012

Douglas E. Walker - Beach City

Appointment Date: December 1, 2010

Expiration Date: April 1, 2011

COLORADO RIVER AUTHORITY, LOWER

Jett Jay Johnson - Goldthwaite

Appointment Date: December 17, 2010

Expiration Date: February 1, 2015

COLORADO RIVER AUTHORITY, UPPER

Eva Horton - San Angelo

Appointment Date: June 10, 2010

Expiration Date: February 1, 2015

COUNSELORS, TEXAS STATE BOARD OF EXAMINERS OF PROFESSIONAL

Sarah Abraham - Sugar Land

Appointment Date: March 17, 2010

Expiration Date: February 1, 2013

CREDIT UNION COMMISSION

Rob Kyker - Richardson

Appointment Date: September 9, 2009

Expiration Date: February 15, 2015

CRIME STOPPERS COUNCIL, TEXAS

Katherine Cabaniss - Houston

Appointment Date: September 21, 2009

Expiration Date: September 1, 2013

William R. McDaniel - Montgomery

Appointment Date: September 21, 2009

Expiration Date: September 1, 2013

DEAF, GOVERNING BOARD OF THE TEXAS SCHOOL FOR THE

Tyran Paul Lee - Humble

Appointment Date: November 23, 2010

Expiration Date: January 31, 2013

DENTAL EXAMINERS, STATE BOARD OF

James Wesley Chancellor, D.D.S. - Garden Ridge

Appointment Date: August 28, 2009

Expiration Date: February 1, 2015

DIETITIANS, TEXAS STATE BOARD OF EXAMINERS OF

Christina Stirling - Brownsville

Appointment Date: September 17, 2009

Expiration Date: September 1, 2015

Elizabeth J. Tindall - Odessa

Appointment Date: September 17, 2009

Expiration Date: September 1, 2015

Mary Kate "Suzy" Weems, Ph.D. - Waco

Appointment Date: September 17, 2009

Expiration Date: September 1, 2015

ECONOMIC DEVELOPMENT CORPORATION, TEXAS

David Gregorio Cabrales - Dallas

Appointment Date: December 29, 2009

Expiration Date:

Marc Angelley Farmer - Lubbock

Appointment Date: December 1, 2010

Expiration Date:

Mario Omar Garcia - La Vernia

Appointment Date: December 8, 2010

Expiration Date:

Macedonio "Massey" Villarreal - Sugar Land

Appointment Date: January 10, 2011

Expiration Date:

EDUCATION COORDINATING BOARD, TEXAS HIGHER

Durga D. Agrawal, Ph.D. - Houston

Appointment Date: August 31, 2009

Expiration Date: August 31, 2015

Dennis D. Golden, O.D. - Carthage

Appointment Date: August 31, 2009

Expiration Date: August 31, 2015

Harold W. Hahn - El Paso

Appointment Date: August 9, 2010

Expiration Date: August 31, 2013

Wallace L. Hall, Jr. - Dallas

Appointment Date: August 31, 2009

Expiration Date: August 31, 2015

EDUCATION, TEXAS STATE BOARD OF, CHAIR

Gail Lowe - Lampasas

Appointment Date: July 10, 2009

Expiration Date: February 1, 2011

TX_00002693

JA_001195

TX_00002693

EDUCATOR CERTIFICATION, STATE BOARD FOR

Laurie Bricker - Houston

Appointment Date: December 28, 2009

Expiration Date: February 1, 2013

Leonard Curtis Culwell, Ed.D. - Garland

Appointment Date: March 15, 2010

Expiration Date: February 1, 2011

EMERGENCY COMMUNICATIONS, COMMISSION ON STATE

William H. "Bill" Buchholtz - San Antonio

Appointment Date: November 23, 2010

Expiration Date: September 1, 2015

Mitchell F. Fuller, II - Cedar Park

Appointment Date: December 21, 2010

Expiration Date: September 1, 2015

EMERGENCY SERVICES RETIREMENT SYSTEM, TEXAS

Graciela G. Flores - Corpus Christi

Appointment Date: May 13, 2010

Expiration Date: September 1, 2015

Virginia Kathleen Moore - Lake Jackson

Appointment Date: May 13, 2010

Expiration Date: September 1, 2015

Dennis Ray Rice - Canyon

Appointment Date: May 13, 2010

Expiration Date: September 1, 2015

Stephen K. Williams - Carthage

Appointment Date: November 12, 2010

Expiration Date: September 1, 2011

ENGINEERS, TEXAS BOARD OF PROFESSIONAL

Carry A. Baker - Amarillo

Appointment Date: January 7, 2011

Expiration Date: September 26, 2015

Lamberto J. "Bobby" Balli - Houston

Appointment Date: January 7, 2011

Expiration Date: September 26, 2015

James Alan "Jim" Greer - Keller

Appointment Date: January 7, 2011

Expiration Date: September 26, 2015

ENVIRONMENTAL QUALITY, TEXAS COMMISSION ON

Carlos Rubinstein - Austin

Appointment Date: August 31, 2009

Expiration Date: August 31, 2015

EVERGREEN UNDERGROUND WATER CONSERVATION DISTRICT

Jason Byron Peeler - Floresville

Appointment Date: June 3, 2010

Expiration Date: February 1, 2013

FINANCE COMMISSION OF TEXAS

David Jesus Cibrian - San Antonio

Appointment Date: July 31, 2009

Expiration Date: February 1, 2012

Cynthia F. Lyons - El Paso

Appointment Date: April 20, 2010

Expiration Date: February 1, 2016

Jonathan B. Newton - Houston

Appointment Date: April 20, 2010

Expiration Date: February 1, 2016

Hilliard "Jay" Shands, III - Lufkin

Appointment Date: September 20, 2010

Expiration Date: February 1, 2012

William James White - Georgetown

Appointment Date: April 20, 2010

Expiration Date: February 1, 2016

FIRE FIGHTERS' PENSION COMMISSIONER

Sherri Barr Walker - Pflugerville

Appointment Date: November 15, 2010

Expiration Date: July 1, 2011

FIRE PROTECTION, TEXAS COMMISSION ON

Louis "Tony" Cortes - San Antonio

Appointment Date: May 27, 2010

Expiration Date: February 1, 2015

John Tilden McMakin - LaRue

Appointment Date: January 10, 2011

Expiration Date: February 1, 2013

Leonardo L. Perez - Brownsville

Appointment Date: September 24, 2010

Expiration Date: February 1, 2013

FORENSIC SCIENCE COMMISSION, TEXAS

John Martin Bradley - Georgetown

Appointment Date: September 29, 2009

Expiration Date: September 1, 2011

Lance T. Evans - Fort Worth

Appointment Date: October 9, 2009

Expiration Date: September 1, 2011

TX_00002695

JA_001197

TX_00002695

Norma Jean Farley, M.D. - Harlingen
Appointment Date: September 29, 2009
Expiration Date: September 1, 2011

Nizam Peerwani, M.D. - Fort Worth
Appointment Date: December 14, 2009
Expiration Date: September 1, 2011

GALVESTON COUNTY PORTS, BOARD OF PILOT COMMISSIONERS FOR
Henry Stephen Porretto - Galveston
Appointment Date: March 18, 2010
Expiration Date: February 1, 2014

GEOSCIENTISTS, TEXAS BOARD OF PROFESSIONAL
Justin McNamee - Rowlett
Appointment Date: March 11, 2010
Expiration Date: February 1, 2015

GUARANTEED STUDENT LOAN CORPORATION, TEXAS
Steven Vaughn Tays - San Antonio
Appointment Date: August 19, 2010
Expiration Date: January 31, 2011

GULF COAST WASTE DISPOSAL AUTHORITY BOARD OF DIRECTORS
Zoe Milian Barinaga - Houston
Appointment Date: August 31, 2009
Expiration Date: August 31, 2011

Randy Jarrell - Galveston
Appointment Date: September 20, 2010
Expiration Date: August 31, 2012

Lamont Edward Meaux - Stowell
Appointment Date: September 20, 2010
Expiration Date: August 31, 2012

HEALTH AND HUMAN SERVICES, EXECUTIVE COMMISSIONER OF
Thomas M. Suehs - Austin
Appointment Date: September 1, 2009
Expiration Date: February 1, 2011

HEALTH COORDINATING COUNCIL, STATEWIDE
James Alexander, Ph.D. - Caldwell
Appointment Date: August 27, 2010
Expiration Date: August 1, 2013

Richard Lynn Beard - Mesquite
Appointment Date: August 27, 2010
Expiration Date: August 1, 2015

Fred Sinclair Brinkley, Jr. - Austin
Appointment Date: August 27, 2010
Expiration Date: August 1, 2015

Janet Buckley Claborn - Muleshoe
Appointment Date: August 27, 2010
Expiration Date: August 1, 2011

Brenda Dever-Armstrong - San Antonio
Appointment Date: August 27, 2010
Expiration Date: August 1, 2015

Steven N. Nguyen, O.D. - Irving
Appointment Date: August 27, 2010
Expiration Date: August 1, 2011

Roger Michael Ragain, M.D. - Lubbock
Appointment Date: August 27, 2010
Expiration Date: August 1, 2015

HEALTH SERVICES AUTHORITY CORPORATION, TEXAS

David C. Fleege, M.D. - Austin
Appointment Date: June 11, 2010
Expiration Date: June 15, 2011

Edward W. Marx - Colleyville
Appointment Date: June 11, 2010
Expiration Date: June 15, 2011

Kathleen K. Mechler - Fredericksburg
Appointment Date: June 11, 2010
Expiration Date: June 15, 2011

Judith Day Powell - The Woodlands
Appointment Date: June 11, 2010
Expiration Date: June 15, 2011

J. Darren Rodgers - Dallas
Appointment Date: June 11, 2010
Expiration Date: June 15, 2011

Stephen Yurco, M.D. - Austin
Appointment Date: June 11, 2010
Expiration Date: June 15, 2011

HEARING INSTRUMENTS, STATE COMMITTEE OF EXAMINERS IN THE
FITTING AND DISPENSING OF

Carla Sue Hoffman - Corpus Christi
Appointment Date: January 20, 2010
Expiration Date: December 31, 2015

James Paul Jay - Temple
Appointment Date: January 20, 2010
Expiration Date: December 31, 2015

Cindy M. Steinbart - Round Rock
Appointment Date: January 20, 2010
Expiration Date: December 31, 2015

HOUSING AND COMMUNITY AFFAIRS, TEXAS DEPARTMENT OF

Lowell Adams Keig - Austin

Appointment Date: August 26, 2009

Expiration Date: January 31, 2013

INDIGENT DEFENSE, TASK FORCE ON

Jon H. Burrows - Temple

Appointment Date: July 29, 2010

Expiration Date: February 1, 2012

Knox Fitzpatrick - Dallas

Appointment Date: July 29, 2010

Expiration Date: February 1, 2012

Benny Glen Whitley - Hurst

Appointment Date: July 29, 2010

Expiration Date: February 1, 2012

INDUSTRIALIZED BUILDING CODE COUNCIL, TEXAS

Roland Lee Brown - Midlothian

Appointment Date: September 20, 2010

Expiration Date: February 1, 2011

Joe D. Campos - Dallas

Appointment Date: September 20, 2010

Expiration Date: February 1, 2012

Randall Reddin Childers - Hewitt

Appointment Date: September 20, 2010

Expiration Date: February 1, 2012

Amy Dempsey - Austin

Appointment Date: September 20, 2010

Expiration Date: February 1, 2012

Martin J. Garza - San Antonio

Appointment Date: September 20, 2010

Expiration Date: February 1, 2012

Mark Remmert - Liberty Hill

Appointment Date: September 20, 2010

Expiration Date: February 1, 2012

Jesse Rider - Tyler

Appointment Date: September 20, 2010

Expiration Date: February 1, 2012

INFORMATION RESOURCES, DEPARTMENT OF

Richard S. Moore - Goliad

Appointment Date: August 28, 2009

Expiration Date: February 1, 2015

JEFFERSON AND ORANGE COUNTY BOARD OF PILOT COMMISSIONERS

Martin E. Broussard - Beaumont

Appointment Date: December 10, 2010

Expiration Date: August 22, 2012

George W. Brown, III - Beaumont

Appointment Date: October 16, 2009

Expiration Date: August 22, 2011

Russell S. Covington - Orange

Appointment Date: October 16, 2009

Expiration Date: August 22, 2011

Travis Todd Miller, D.D.S. - Orange

Appointment Date: December 10, 2010

Expiration Date: August 22, 2012

William F. Scott - Nederland

Appointment Date: October 16, 2009

Expiration Date: August 22, 2011

JUDGE, 243RD JUDICIAL DISTRICT, EL PASO COUNTY

Bill D. Hicks, Jr. - El Paso

Appointment Date: January 4, 2011

Expiration Date:

JUDGE, 378TH JUDICIAL DISTRICT, ELLIS COUNTY

Joe F. Grubbs - Waxahachie

Appointment Date: January 1, 2011

Expiration Date:

JUDGE, 438TH JUDICIAL DISTRICT, BEXAR COUNTY

Victor H. Negron, Jr. - San Antonio

Appointment Date: September 1, 2010

Expiration Date:

JUDGE, 439TH JUDICIAL DISTRICT, ROCKWALL COUNTY

David E. Rakow - Rockwall

Appointment Date: November 2, 2010

Expiration Date:

JUDGE, 96TH JUDICIAL DISTRICT, TARRANT COUNTY

Reuben "R. H." Wallace, Jr. - Keller

Appointment Date: November 12, 2010

Expiration Date:

JUDICIAL CONDUCT, STATE COMMISSION ON

Martha Morales Hernandez - Diboll

Appointment Date: July 13, 2010

Expiration Date: November 19, 2015

TX_00002699

JA_001201

TX_00002699

Diane DeLaTorre Threadgill - Midlothian

Appointment Date: July 13, 2010

Expiration Date: November 19, 2015

JUDICIAL COUNCIL, TEXAS

Richard Battle - Lakeway

Appointment Date: September 17, 2009

Expiration Date: June 30, 2015

Henry Nuss - Corpus Christi

Appointment Date: September 17, 2009

Expiration Date: June 30, 2015

JUSTICE, 1ST COURT OF APPEALS, HARRIS COUNTY

Harvey G. Brown, Jr. - Houston

Appointment Date: November 10, 2010

Expiration Date:

JUSTICE, 3RD COURT OF APPEALS, AUSTIN

Jeffrey Lee "Jeff" Rose - Austin

Appointment Date: November 12, 2010

Expiration Date:

JUVENILE PROBATION COMMISSION, TEXAS

William Player Conley - Wimberley

Appointment Date: September 23, 2009

Expiration Date: August 31, 2015

Migdalia Lopez - Harlingen

Appointment Date: September 23, 2009

Expiration Date: August 31, 2015

Scott O'Grady - McKinney

Appointment Date: September 23, 2009

Expiration Date: August 31, 2015

LAW ENFORCEMENT OFFICER STANDARDS AND EDUCATION,
COMMISSION ON

James Neil Oakley - Spicewood

Appointment Date: March 11, 2010

Expiration Date: August 30, 2011

J.B. Pennington - Jersey Village

Appointment Date: September 21, 2009

Expiration Date: August 30, 2015

Ruben Villescas - Pharr

Appointment Date: September 21, 2009

Expiration Date: August 30, 2015

John Randall "Randy" Watson - Burleson

Appointment Date: December 2, 2010

Expiration Date: August 30, 2015

LEASE OF TEXAS DEPARTMENT OF CRIMINAL JUSTICE LANDS, BOARD
FOR

Wesley D. Lloyd - Waco

Appointment Date: September 1, 2009

Expiration Date: September 1, 2011

LEASE OF TEXAS PARKS AND WILDLIFE LANDS, BOARD FOR

Wesley D. Lloyd - Waco

Appointment Date: September 1, 2009

Expiration Date: September 1, 2011

LIBRARY AND ARCHIVES COMMISSION, TEXAS STATE

Martha D. Freeman - West Lake Hills

Appointment Date: September 28, 2009

Expiration Date: September 28, 2015

Larry G. Holt - College Station

Appointment Date: September 28, 2009

Expiration Date: September 28, 2015

Sandra Pickett - Liberty

Appointment Date: September 28, 2009

Expiration Date: September 28, 2015

LOTTERY COMMISSION, TEXAS

Winston Krause - Austin

Appointment Date: August 27, 2010

Expiration Date: February 1, 2013

MIDWESTERN STATE UNIVERSITY BOARD OF REGENTS

Michael Bernhardt - Wichita Falls

Appointment Date: March 17, 2010

Expiration Date: February 25, 2016

Kenneth "Kenny" Bryant - Wichita Falls

Appointment Date: March 17, 2010

Expiration Date: February 25, 2016

Tiffany Dawn Burks - Grand Prairie

Appointment Date: March 17, 2010

Expiration Date: February 25, 2016

Samuel Molinar "Sam" Sanchez - Fort Worth

Appointment Date: March 17, 2010

Expiration Date: February 25, 2012

MILITARY PREPAREDNESS COMMISSION, TEXAS

Ernest "Ernie" Aliseda - McAllen

Appointment Date: August 13, 2010

Expiration Date: February 1, 2015

TX_00002701

JA_001203

TX_00002701

Arthur R. Emerson - San Antonio

Appointment Date: October 20, 2009

Expiration Date: February 1, 2011

William H. Parry, III - Belton

Appointment Date: November 23, 2010

Expiration Date: February 1, 2013

Alton Fredrick Thomas, Jr. - El Paso

Appointment Date: September 23, 2009

Expiration Date: February 1, 2011

MOTOR VEHICLES BOARD, TEXAS DEPARTMENT OF

Clifford Ernest Butler - Mount Pleasant

Appointment Date: September 28, 2009

Expiration Date: February 1, 2013

James Robert "Jim" Campbell, Jr. - Sachse

Appointment Date: September 28, 2009

Expiration Date: February 1, 2011

Ramsay H. Gillman - Houston

Appointment Date: September 28, 2009

Expiration Date: February 1, 2013

Cheryl E. Johnson - Friendswood

Appointment Date: September 28, 2009

Expiration Date: February 1, 2013

Victor Rodriguez - McAllen

Appointment Date: September 28, 2009

Expiration Date: February 1, 2015

William Marvin Rush - Seguin

Appointment Date: September 28, 2009

Expiration Date: February 1, 2011

Laura Ryan Heizer - Cypress

Appointment Date: July 30, 2010

Expiration Date: February 1, 2015

Victor Thomas Vandergriff - Arlington

Appointment Date: September 1, 2009

Expiration Date: February 1, 2015

John Henry Walker, III - Houston

Appointment Date: September 28, 2009

Expiration Date: February 1, 2011

MUNICIPAL RETIREMENT SYSTEM, TEXAS

Julie Oakley - Spicewood

Appointment Date: July 22, 2010

Expiration Date: February 1, 2013

TX_00002702

JA_001204

TX_00002702

MUTUAL INSURANCE COMPANY BOARD OF DIRECTORS, TEXAS

Linda S. Foster-Smith - Georgetown

Appointment Date: October 16, 2009

Expiration Date: July 1, 2015

NECHES VALLEY AUTHORITY BOARD OF DIRECTORS, LOWER

Mary "Sue" Cleveland - Lumberton

Appointment Date: August 6, 2009

Expiration Date: July 28, 2015

Jimmie Ruth Cooley - Woodville

Appointment Date: August 6, 2009

Expiration Date: July 28, 2015

Kathleen Thea Jackson - Beaumont

Appointment Date: August 6, 2009

Expiration Date: July 28, 2015

NORTH TEXAS TOLLWAY AUTHORITY BOARD OF DIRECTORS

Robert Kelly Shepard - Weatherford

Appointment Date: September 23, 2009

Expiration Date: August 31, 2011

NUECES RIVER AUTHORITY BOARD OF DIRECTORS

Tomas Ramirez, III - Moore

Appointment Date: June 3, 2010

Expiration Date: February 1, 2015

Stephen Hamilton Thomas - Portland

Appointment Date: November 23, 2010

Expiration Date: February 1, 2015

OCCUPATIONAL THERAPY EXAMINERS, TEXAS BOARD OF

DeLana Kaye Honaker, Ph.D. - Amarillo

Appointment Date: July 12, 2010

Expiration Date: February 1, 2011

OMBUDSMAN FOR STATE SUPPORTED LIVING CENTERS, INDEPENDENT

George P. Bithos, D.D.S., Ph.D. - Austin

Appointment Date: February 11, 2010

Expiration Date: June 11, 2011

ONE CALL BOARD

Dean D. Bernal - Austin

Appointment Date: March 18, 2010

Expiration Date: August 31, 2012

Joseph F. Berry - Pearland

Appointment Date: September 24, 2010

Expiration Date: August 31, 2013

TX_00002703

JA_001205

TX_00002703

Barry Calhoun - Richardson

Appointment Date: September 24, 2010

Expiration Date: August 31, 2013

Julio Cerda - Mission

Appointment Date: March 18, 2010

Expiration Date: August 31, 2012

Judith H. Devenport - Midland

Appointment Date: September 24, 2010

Expiration Date: August 31, 2013

Jason Hartgraves - Frisco

Appointment Date: March 18, 2010

Expiration Date: August 31, 2012

John Linton - McAllen

Appointment Date: September 24, 2010

Expiration Date: August 31, 2013

Janie Lou Walenta - Quitman

Appointment Date: March 18, 2010

Expiration Date: August 31, 2012

ON-SITE WASTEWATER TREATMENT RESEARCH COUNCIL

Scott Ralph Adams - Fort Davis

Appointment Date: September 15, 2010

Expiration Date: September 1, 2012

Elaine Anne Boatright - Smithville

Appointment Date: October 23, 2009

Expiration Date: September 1, 2011

Brian J. Christian - Round Rock

Appointment Date: September 15, 2010

Expiration Date: September 1, 2012

Jaime Ariel Garza - Harlingen

Appointment Date: June 10, 2010

Expiration Date: September 1, 2011

Richard Dwain Gerard - Livingston

Appointment Date: September 15, 2010

Expiration Date: September 1, 2012

Sockalingam "Sam" Kannappan - Houston

Appointment Date: October 23, 2009

Expiration Date: September 1, 2011

Janet Dee Meyers - Aubrey

Appointment Date: September 15, 2010

Expiration Date: September 1, 2012

Brian L. Padden - Austin

Appointment Date: October 23, 2009

Expiration Date: September 1, 2011

Carl Russell, Jr. - Lubbock

Appointment Date: October 23, 2009

Expiration Date: September 1, 2011

William F. "Dubb" Smith, III - Dripping Springs

Appointment Date: October 23, 2009

Expiration Date: September 1, 2011

Ronald J. Suchecki, Jr. - China Spring

Appointment Date: September 15, 2010

Expiration Date: September 1, 2012

PARDON AND PAROLES, BOARD OF

David Gutierrez - Lubbock

Appointment Date: September 14, 2009

Expiration Date: February 1, 2015

PARKS AND WILDLIFE COMMISSION

Dan Allen Hughes, Jr. - Beeville

Appointment Date: June 4, 2009

Expiration Date: February 1, 2015

PHARMACY, TEXAS STATE BOARD OF

Wilson Benjamin "Ben" Fry - San Benito

Appointment Date: January 6, 2010

Expiration Date: August 31, 2015

Joyce Tipton - Houston

Appointment Date: January 6, 2010

Expiration Date: August 31, 2015

Charles F. Wetherbee - Boerne

Appointment Date: January 6, 2010

Expiration Date: August 31, 2015

PHYSICAL THERAPY EXAMINERS, TEXAS BOARD OF

Kathleen Ann Luedtke-Hoffmann, Ph.D. - Garland

Appointment Date: June 3, 2010

Expiration Date: January 31, 2011

PHYSICIAN ASSISTANT BOARD, TEXAS

Margaret Bentley - DeSoto

Appointment Date: March 11, 2010

Expiration Date: February 1, 2015

PLUMBING EXAMINERS, TEXAS STATE BOARD OF

Tammy Betancourt - Houston

Appointment Date: November 2, 2010

Expiration Date: September 5, 2015

TX_00002705

JA_001207

TX_00002705

Carlos DeHoyos - Gladewater

Appointment Date: November 2, 2010

Expiration Date: September 5, 2015

Richard Allen "Rick" Lord - Pasadena

Appointment Date: November 2, 2010

Expiration Date: September 5, 2015

PODIATRIC MEDICAL EXAMINERS, TEXAS STATE BOARD OF

Charles Jason Hubbard, D.P.M. - Austin

Appointment Date: September 17, 2009

Expiration Date: July 10, 2015

Harold Ashley Ledger, D.P.M. - Nolanville

Appointment Date: September 17, 2009

Expiration Date: July 10, 2015

Morgan Talbot - McAllen

Appointment Date: September 17, 2009

Expiration Date: July 10, 2015

PRESIDING JUDGE, EIGHTH ADMINISTRATIVE JUDICIAL REGION

Roger Jeffrey Walker - Fort Worth

Appointment Date: February 12, 2010

Expiration Date: February 25, 2014

PRESIDING JUDGE, FIFTH ADMINISTRATIVE JUDICIAL REGION

J. Rolando Olvera, Jr. - Brownsville

Appointment Date: January 4, 2011

Expiration Date: January 3, 2015

PRESIDING JUDGE, SEVENTH ADMINISTRATIVE JUDICIAL REGION

Morton "Dean" Rucker, II - Midland

Appointment Date: September 20, 2010

Expiration Date: October 4, 2014

PRESIDING JUDGE, THIRD ADMINISTRATIVE JUDICIAL REGION

Billy Ray Stubblefield - Georgetown

Appointment Date: February 4, 2010

Expiration Date: February 11, 2014

PSYCHOLOGISTS, TEXAS STATE BOARD OF EXAMINERS OF

Jeffrey Baker, Ph.D. - League City

Appointment Date: December 17, 2010

Expiration Date: October 31, 2015

Carlos Chacon - El Paso

Appointment Date: March 24, 2010

Expiration Date: October 31, 2015

Leslie Dee Rosenstein, Ph.D. - Austin

Appointment Date: March 24, 2010

Expiration Date: October 31, 2015

TX_00002706

JA_001208

TX_00002706

PUBLIC SAFETY COMMISSION

A. Cynthia "Cindy" Leon - Mission

Appointment Date: January 10, 2011

Expiration Date: January 1, 2016

Allan B. Polunsky - San Antonio

Appointment Date: December 31, 2009

Expiration Date: December 31, 2015

PUBLIC UTILITY COMMISSION OF TEXAS

Donna Nelson - Austin

Appointment Date: September 23, 2009

Expiration Date: September 1, 2015

PUBLIC UTILITY COUNSEL, OFFICE OF

Sheri Sanders Givens - Round Rock

Appointment Date: December 21, 2009

Expiration Date: February 1, 2011

RACING COMMISSION, TEXAS

Alan Scott Haywood - Austin

Appointment Date: November 24, 2009

Expiration Date: February 1, 2015

Michael Floyd Martin, D.V.M. - San Antonio

Appointment Date: November 3, 2010

Expiration Date: February 1, 2015

REAL ESTATE RESEARCH ADVISORY COMMITTEE

Kimberly Shambley - Dallas

Appointment Date: April 30, 2010

Expiration Date: January 31, 2015

RED RIVER AUTHORITY OF TEXAS BOARD OF DIRECTORS

Jerry B. Daniel - Truscott

Appointment Date: August 11, 2009

Expiration Date: August 11, 2015

George Wilson Scaling, II - Henrietta

Appointment Date: August 11, 2009

Expiration Date: August 11, 2015

Cliff A. Skiles, Jr., D.V.M. - Hereford

Appointment Date: August 11, 2009

Expiration Date: August 11, 2015

REGIONAL MOBILITY AUTHORITY, CAMERON COUNTY

David Allex - Harlingen

Appointment Date: March 26, 2010

Expiration Date: February 1, 2012

TX_00002707

JA_001209

TX_00002707

REGIONAL MOBILITY AUTHORITY, CAMINO REAL

Scott A. McLaughlin - El Paso

Appointment Date: August 11, 2010

Expiration Date: February 1, 2011

REGIONAL MOBILITY AUTHORITY, GRAYSON COUNTY

Will Rich Hubbard, Jr. - Tioga

Appointment Date: April 30, 2010

Expiration Date: February 1, 2012

REGIONAL MOBILITY AUTHORITY, HIDALGO COUNTY

Dennis Burleson - Mission

Appointment Date: March 26, 2010

Expiration Date: February 1, 2012

REGIONAL MOBILITY AUTHORITY, NORTH EAST TEXAS

Jeff Austin, III - Tyler

Appointment Date: March 23, 2010

Expiration Date: February 1, 2012

RETIREMENT SYSTEM, TEXAS COUNTY AND DISTRICT

Jerry V. Bigham - Canyon

Appointment Date: May 13, 2010

Expiration Date: December 31, 2015

Daniel R. Haggerty - El Paso

Appointment Date: May 13, 2010

Expiration Date: December 31, 2015

Jan Kennady - New Braunfels

Appointment Date: May 13, 2010

Expiration Date: December 31, 2015

Dorye Kristeen Roe - Bryan

Appointment Date: November 30, 2009

Expiration Date: December 31, 2011

RISK MANAGEMENT BOARD

Stephanie E. Simmons, Ph.D. - Missouri City

Appointment Date: January 6, 2011

Expiration Date: February 1, 2015

John Wesley Youngblood - Cameron

Appointment Date: December 21, 2010

Expiration Date: February 1, 2013

RURAL AFFAIRS, TEXAS DEPARTMENT OF

Bryan Keith Tucker - Childress

Appointment Date: March 11, 2010

Expiration Date: February 1, 2011

SABINE RIVER AUTHORITY BOARD OF DIRECTORS

Cary McClure "Mac" Abney - Marshall

Appointment Date: August 6, 2009

Expiration Date: July 6, 2015

Connie Wade - Longview

Appointment Date: August 6, 2009

Expiration Date: July 6, 2015

Constance M. "Connie" Ware - Marshall

Appointment Date: August 6, 2009

Expiration Date: July 6, 2015

SABINE RIVER COMPACT ADMINISTRATION

Jerry F. Gipson - Longview

Appointment Date: July 13, 2010

Expiration Date: July 12, 2016

SCHOOL LAND BOARD

Thomas "Tommy" Orr - Houston

Appointment Date: September 23, 2009

Expiration Date: August 29, 2011

SCHOOL SAFETY CENTER BOARD, TEXAS

Dewey "Mike" Cox - Driftwood

Appointment Date: March 19, 2010

Expiration Date: February 1, 2012

Garry Edward Eoff - Brownwood

Appointment Date: March 19, 2010

Expiration Date: February 1, 2012

Daniel Riley Griffith, II - Pflugerville

Appointment Date: March 19, 2010

Expiration Date: February 1, 2012

Stephen Raley - Lufkin

Appointment Date: March 19, 2010

Expiration Date: February 1, 2012

Dawn DuBose Randle - Houston

Appointment Date: March 19, 2010

Expiration Date: February 1, 2012

SOCIAL WORKER EXAMINERS, TEXAS STATE BOARD OF

Nancy Ann Pearson - Burton

Appointment Date: April 27, 2010

Expiration Date: February 1, 2011

SOIL AND WATER CONSERVATION BOARD, STATE

Larry D. Jacobs - Montgomery

Appointment Date: March 11, 2010

Expiration Date: February 1, 2012

TX_00002709

JA_001211

TX_00002709

SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY, STATE BOARD OF EXAMINERS FOR

Kimberly M. Carlisle - Plano

Appointment Date: January 12, 2010

Expiration Date: August 31, 2015

Kerry Ormson, Ed.D. - Amarillo

Appointment Date: January 12, 2010

Expiration Date: August 31, 2015

Christopher J. Rourk - Dallas

Appointment Date: January 12, 2010

Expiration Date: August 31, 2015

STATE EMPLOYEE CHARITABLE CAMPAIGN POLICY COMMITTEE

Peter Paul Flores - Austin

Appointment Date: June 14, 2010

Expiration Date: January 1, 2012

Louri Marie O'Leary - Austin

Appointment Date: June 14, 2010

Expiration Date: January 1, 2012

Jason Kevin Patteson - Austin

Appointment Date: June 14, 2010

Expiration Date: January 1, 2012

Carol Frost Treadway - Austin

Appointment Date: June 14, 2010

Expiration Date: January 1, 2012

SULPHUR RIVER BASIN AUTHORITY BOARD OF DIRECTORS

Borden E. Bell, Jr. - Texarkana

Appointment Date: September 1, 2009

Expiration Date: February 1, 2015

David Neeley - Mount Pleasant

Appointment Date: September 1, 2009

Expiration Date: February 1, 2015

Michael Edward Russell - Clarksville

Appointment Date: November 2, 2010

Expiration Date: February 1, 2011

TEACHER RETIREMENT SYSTEM OF TEXAS BOARD OF TRUSTEES

Todd F. Barth - Houston

Appointment Date: October 16, 2009

Expiration Date: August 31, 2015

Christopher S. Moss - Lufkin

Appointment Date: March 15, 2010

Expiration Date: August 31, 2015

F. Nanette Sissney - Whitesboro

Appointment Date: October 16, 2009

Expiration Date: August 31, 2015

TEXAS STATE TECHNICAL COLLEGE SYSTEM BOARD OF REGENTS

Penny Forrest - Waco

Appointment Date: September 9, 2009

Expiration Date: August 31, 2015

James Virgil "J. V." Martin - Sweetwater

Appointment Date: September 9, 2009

Expiration Date: August 31, 2015

Linda McKenna - Harlingen

Appointment Date: September 9, 2009

Expiration Date: August 31, 2015

TEXAS TECH UNIVERSITY SYSTEM BOARD OF REGENTS

Debra Montford - San Antonio

Appointment Date: November 12, 2010

Expiration Date: January 31, 2011

TEXAS WOMAN'S UNIVERSITY BOARD OF REGENTS

Mary Wilson - Austin

Appointment Date: September 9, 2009

Expiration Date: February 1, 2011

TRINITY RIVER AUTHORITY BOARD OF DIRECTORS

William W. "Bill" Collins, Jr. - Fort Worth

Appointment Date: December 14, 2009

Expiration Date: March 15, 2015

UNIVERSITY OF HOUSTON SYSTEM BOARD OF REGENTS

Nandita V. Berry - Houston

Appointment Date: August 31, 2009

Expiration Date: August 31, 2015

Tilman Fertitta - Houston

Appointment Date: August 31, 2009

Expiration Date: August 31, 2015

Jarvis Vincent Hollingsworth - Sugar Land

Appointment Date: August 31, 2009

Expiration Date: August 31, 2015

UNIVERSITY OF NORTH TEXAS SYSTEM BOARD OF REGENTS

Michael R. Bradford - Midland

Appointment Date: July 31, 2009

Expiration Date: May 22, 2015

TX_00002711

JA_001213

TX_00002711

Steve Mitchell - Richardson

Appointment Date: July 31, 2009

Expiration Date: May 22, 2015

George B. "Brint" Ryan - Dallas

Appointment Date: August 24, 2009

Expiration Date: May 22, 2015

UNIVERSITY OF TEXAS SYSTEM BOARD OF REGENTS

Robert Steven "Steve" Hicks - Austin

Appointment Date: July 2, 2010

Expiration Date: February 1, 2015

Brenda Pejovich - Dallas

Appointment Date: July 2, 2010

Expiration Date: February 1, 2011

VETERANS COMMISSION, TEXAS

Richard A. McLeon, IV - Victoria

Appointment Date: November 10, 2010

Expiration Date: December 31, 2011

James Henry Scott - San Antonio

Appointment Date: November 10, 2010

Expiration Date: December 31, 2015

VETERINARY MEDICAL EXAMINERS, STATE BOARD OF

Bud E. Alldredge, D.V.M. - Sweetwater

Appointment Date: September 23, 2009

Expiration Date: August 26, 2015

John Todd Henry, D.V.M. - Wimberley

Appointment Date: August 9, 2010

Expiration Date: August 26, 2015

Paul Martinez - Sonora

Appointment Date: September 23, 2009

Expiration Date: August 26, 2015

YOUTH COMMISSION INDEPENDENT OMBUDSMAN, TEXAS

Debbie Kay Unruh - Austin

Appointment Date: November 1, 2010

Expiration Date: February 1, 2011

YOUTH COMMISSION, TEXAS

Joseph D. Brown - Sherman

Appointment Date: September 1, 2009

Expiration Date: September 1, 2011

Larry Carroll - Midland

Appointment Date: September 1, 2009

Expiration Date: September 1, 2011

TX_00002712

JA_001214

TX_00002712

Scott W. Fisher - Bedford

Appointment Date: September 1, 2009

Expiration Date: September 1, 2011

Manson B. Johnson - Houston

Appointment Date: September 1, 2009

Expiration Date: September 1, 2011

J. Rolando Olvera, Jr. - Brownsville

Appointment Date: September 1, 2009

Expiration Date: September 1, 2011

Toni Sykora - San Antonio

Appointment Date: March 10, 2010

Expiration Date: September 1, 2011

David D. Teuscher, M.D. - Beaumont

Appointment Date: September 1, 2009

Expiration Date: September 1, 2011

Respectfully submitted,

/s/Rick Perry

Governor

January 21, 2011

Austin, Texas

TO THE SENATE OF THE EIGHTY-SECOND LEGISLATURE, REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

To be Judge of the 43rd Judicial District Court, Parker County, for a term until the next General Election and until his successor shall be duly elected and qualified:

Trey Edward Loftin

Aledo, Texas

Mr. Loftin is replacing Judge Don Chrestman who resigned.

To be Judge of the 431st Judicial District Court, Denton County, pursuant to HB 4833, 81st Legislature, Regular Session, for a term until the next General Election and until his successor shall be duly elected and qualified:

Jonathan M. Bailey

Highland Village, Texas

Respectfully submitted,

/s/Rick Perry

Governor

MESSAGES FROM THE SUPREME COURT OF TEXAS

The following Messages from the Supreme Court of Texas were read and were referred to the Committee on Nominations:

The Supreme Court of Texas
July 2, 2009

The Honorable David Dewhurst
Lieutenant Governor of Texas
Capitol Station
P. O. Box 12068
Austin, Texas 78711

Dear Lieutenant Governor Dewhurst:

Since adjournment of the 81st Texas Legislature, the Supreme Court of Texas has made the following appointments to the State Bar of Texas Board of Directors which require the advice and consent of the Senate:

Annette Raggette, Austin, Texas
Timothy D. Belton, Bellaire, Texas

Ms. Raggette was appointed on June 2, 2009, to a term of three years which will expire on June 30, 2012. Ms. Raggette replaces Robert Kyker whose term expired June 30, 2009.

Mr. Belton was appointed June 22, 2009, to a term of three years which will expire on June 30, 2012. Mr. Belton replaces Curtis Flowers whose term expired June 30, 2009.

The Supreme Court of Texas requests the consent and confirmation of the Senate for each of these appointments.

Sincerely,
/s/Nathan L. Hecht
Senior Justice

The Supreme Court of Texas
January 10, 2011

The Honorable David Dewhurst
Lieutenant Governor of Texas
Capitol Station
P. O. Box 12068
Austin, Texas 78711

Dear Lieutenant Governor Dewhurst:

Since adjournment of the 81st Texas Legislature, the Supreme Court of Texas has made the following appointments, all of which require the advice and consent of the Senate:

State Commission on Judicial Conduct

The Honorable Joel Baker
Constitutional County Court Judge, Smith County
Tyler, Texas

The Honorable Edward J. Spillane, III
Municipal Court Judge, Brazos County
College Station, Texas

The Honorable Steven L. Seider
Justice of the Peace, Dallas County
Dallas, Texas

The Honorable M. Sue Kurita
County Court at Law Judge, El Paso County
El Paso, Texas

Judge Joel Baker was appointed on July 14, 2009, to fulfill the unexpired term of Judge Ernie Houdashell, which will expire November 19, 2011.

Judge Edward J. Spillane was appointed on December 7, 2009, to a term of six years which will expire November 19, 2015. Judge Spillane succeeds Judge Monica Gonzalez.

Judge Steven L. Seider was appointed on February 25, 2010, to a term of six years which will expire on November 19, 2015. Judge Seider succeeds Judge Tom Lawrence.

Judge M. Sue Kurita was appointed on August 16, 2010, to a term of six years which will expire November 19, 2015. Judge Kurita succeeds Judge Michael Fields.

Board of Directors of the State Bar of Texas

Ms. Becky Baskin Ferguson
Midland, Texas

Ms. Virginia Campbell
Fort Worth, Texas

Ms. Ferguson was appointed on May 26, 2010, to a term of three years which will expire on June 30, 2013. Ms. Ferguson succeeds Samuel B. Lovelady.

Ms. Campbell was appointed on May 26, 2010, to a term of three years which will expire on June 30, 2013. Ms. Campbell succeeds Deborah Ruth Gagliardi.

Employees Retirement System of Texas Board of Trustees

Mr. Ira Craig Hester
Austin, Texas

Mr. Hester was reappointed on August 31, 2010, to a term of six years which will expire on August 31, 2016.

The Court respectfully requests the consent and confirmation of the Senate for each of the above listed appointments.

Sincerely,
/s/Wallace B. Jefferson
Chief Justice

COMMITTEE OF THE WHOLE SENATE

On motion of Senator Duncan and by unanimous consent, the Senate at 12:38 p.m. resolved into a Committee of the Whole Senate to consider **SB 14** with Senator Duncan presiding.

IN LEGISLATIVE SESSION

The President called the Senate to order at 9:20 p.m. as In Legislative Session.

COMMITTEE OF THE WHOLE SENATE REPORT

Senator Duncan was recognized and reported that the Committee of the Whole Senate had met and reported **SB 14** to the Senate with the recommendation that it do pass and be printed.

MOTION IN WRITING

Senator Fraser offered the following Motion In Writing:

Mr. President:

I move that SB 14, relating to voter identification requirements, be made a special order for 9:20 p.m. Wednesday, January 26, 2011, and thereafter until disposed of on second and third readings.

FRASER

The Motion In Writing prevailed by the following vote: Yeas 19, Nays 12.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Rodriguez, Uresti, Van de Putte, Watson, West, Whitmire, Zaffirini.

CO-AUTHOR OF SENATE BILL 18

On motion of Senator Estes, Senator Patrick will be shown as Co-author of **SB 18**.

CO-AUTHORS OF SENATE JOINT RESOLUTION 1

On motion of Senator Ogden, Senators Eltife and Patrick will be shown as Co-authors of **SJR 1**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolution

SR 89 by Van de Putte, In memory of Wesley J. Rice of San Antonio.

Congratulatory Resolutions

SR 48 by Harris and Davis, Congratulating the Texas Rangers on winning the American League Championship and advancing to the World Series.

SR 83 by Williams, Shapiro, and Whitmire, Recognizing the Jewish Federation of Greater Houston on the occasion of its 75th anniversary.

SR 86 by Lucio, Recognizing Juan de Dios Garcia for his accomplishments as the boys' soccer coach at Hanna High School in Brownsville.

SR 88 by Van de Putte, Recognizing John Wesley Boldt for his contributions to the field of medicine.

Official Designation Resolutions

SR 81 by Harris and Davis, Celebrating January 26, 2011, as Arlington to Austin Day.

SR 82 by Zaffirini, Recognizing January 26, 2011, as Laredo Legislative Day at the Capitol.

RECESS

On motion of Senator Whitmire, the Senate at 9:23 p.m. recessed until 11:00 a.m. tomorrow.

APPENDIX

RESOLUTIONS ENROLLED

January 24, 2011

SR 29, SR 31, SR 39, SR 40, SR 41, SR 42, SR 43, SR 44, SR 45, SR 46, SR 47, SR 49, SR 50, SR 51, SR 53, SR 54, SR 57, SR 58, SR 59, SR 61, SR 62, SR 63, SR 64, SR 65, SR 66, SR 67, SR 68, SR 69, SR 70, SR 71, SR 73, SR 74, SR 75, SR 76, SR 77, SR 78, SR 79, SR 80

**In Memory
of
Joe Limon Avila
Senate Resolution 55**

WHEREAS, The Senate of the State of Texas joins the citizens of Austin in mourning the loss of business owner Joe Limon Avila, who died January 9, 2011, at the age of 81; and

WHEREAS, Joe Avila was born in Austin April 14, 1929; he proudly served his country in the United States Army during the Korean War and received a Purple Heart; and

WHEREAS, He dedicated his life to his childhood dream of becoming a restaurant owner; he believed and proved that anything is possible if you work hard and persevere; Joe's Bakery and Coffee Shop was the fulfillment of his dream; and

WHEREAS, He also believed strongly in giving back to the community, and he always remembered the neighborhood from which he came; he loved to make people laugh and delighted in playing jokes; and

WHEREAS, The way he lived his life and his devout faith played a vital role in the way he raised his daughters, whom he inspired to accept both the joys and hardships of life; he leaves a legacy of service and accomplishments that will be long remembered by all who knew him; and

WHEREAS, He was a devoted husband to his wife of 56 years, Pauline, and a loving father and grandfather, and he leaves behind memories that will be treasured forever by his family and many friends; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 82nd Legislature, hereby pay tribute to the life of Joe Limon Avila and extend sincere condolences to his bereaved family; and, be it further

RESOLVED, That a copy of this Resolution be prepared for his family as an expression of deepest sympathy from the Texas Senate, and that when the Senate adjourns this day, it do so in memory of Joe Limon Avila.

WATSON

TX_00002719
JA_001221

TX_00002719

By: Fraser, et al.

S.B. No. 14

(In the Senate - Filed January 12, 2011; January 24, 2011, read first time and referred to Committee of the Whole Senate; January 25, 2011, reported favorably by the following vote: Yeas 20, Nays 12; January 25, 2011, sent to printer.)

A BILL TO BE ENTITLED
AN ACT

relating to requirements to vote, including presenting proof of identification; providing criminal penalties.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 15, Election Code, is amended by adding Section 15.005 to read as follows:

Sec. 15.005. NOTICE OF IDENTIFICATION REQUIREMENTS.

(a) The voter registrar of each county shall provide notice of the identification requirements for voting prescribed by Chapter 63 and a detailed description of those requirements with each voter registration certificate issued under Section 13.142 or renewal registration certificate issued under Section 14.001.

(b) The secretary of state shall prescribe the wording of the notice to be included on the certificate under this section.

SECTION 2. Subsection (a), Section 15.022, Election Code, is amended to read as follows:

(a) The registrar shall make the appropriate corrections in the registration records, including, if necessary, deleting a voter's name from the suspense list:

(1) after receipt of a notice of a change in registration information under Section 15.021;

(2) after receipt of a voter's reply to a notice of investigation given under Section 16.033;

(3) after receipt of a registration omissions list and any affidavits executed under Section 63.006 [~~63.007~~], following an election;

(4) after receipt of a voter's statement of residence executed under Section 63.0011;

(5) before the effective date of the abolishment of a county election precinct or a change in its boundary;

(6) after receipt of United States Postal Service information indicating an address reclassification;

(7) after receipt of a voter's response under Section 15.053; or

(8) after receipt of a registration application or change of address under Chapter 20.

SECTION 3. Subchapter A, Chapter 31, Election Code, is amended by adding Section 31.012 to read as follows:

Sec. 31.012. VOTER IDENTIFICATION EDUCATION. (a) The secretary of state and the voter registrar of each county that maintains a website shall provide notice of the identification requirements for voting prescribed by Chapter 63 on each entity's respective website. The secretary of state shall prescribe the wording of the notice to be included on the websites.

(b) The secretary of state shall conduct a statewide effort to educate voters regarding the identification requirements for voting prescribed by Chapter 63.

SECTION 4. Section 32.111, Election Code, is amended by adding Subsection (c) to read as follows:

(c) The training standards adopted under Subsection (a) must include provisions on the acceptance and handling of the identification presented by a voter to an election officer under Section 63.001.

SECTION 5. Subsection (a), Section 32.114, Election Code, is amended to read as follows:

(a) The county clerk shall provide one or more sessions of training using the standardized training program and materials developed and provided by the secretary of state under Section 32.111 for the election judges and clerks appointed to serve in elections ordered by the governor or a county authority. Each election judge shall complete the training program. Each election clerk shall complete the part of the training program relating to the acceptance and handling of the identification presented by a voter to an election officer under Section 63.001.

SECTION 6. Chapter 62, Election Code, is amended by adding Section 62.016 to read as follows:

Sec. 62.016. NOTICE OF ACCEPTABLE IDENTIFICATION OUTSIDE POLLING PLACES. The presiding judge shall post in a prominent place on the outside of each polling location a list of the acceptable forms of identification. The notice and list must be printed using a font that is at least 24-point.

SECTION 7. Section 63.001, Election Code, is amended by amending Subsections (b), (c), (d), and (f) and adding Subsections (g) and (h) to read as follows:

(b) Except as provided by Subsection (h), on [On] offering to vote, a voter must present to an election officer at the polling place one form of identification listed in Section 63.0101 [the voter's voter registration certificate to an election officer at the polling place].

(c) Upon presentation of the documentation required by Subsection (b) [a registration certificate], an election officer shall determine whether the voter's name on the documentation [registration certificate] is on the list of registered voters for the precinct.

(d) If the voter's name is on the precinct list of registered voters and the voter's identity can be verified from the documentation presented under Subsection (b), the voter shall be accepted for voting.

(f) After determining whether to accept a voter, an election officer shall return the voter's documentation [registration certificate] to the voter.

(g) If the requirements for identification prescribed by Subsection (b) are not met, the voter may be accepted for provisional voting only under Section 63.011. For a voter who is not accepted for voting under this section, an election officer shall:

(1) inform the voter of the voter's right to cast a provisional ballot under Section 63.011; and

(2) provide the voter with written information, in a form prescribed by the secretary of state, that:

(A) lists the requirements for identification;

(B) states the procedure for presenting

identification under Section 65.0541;

(C) includes a map showing the location where

identification must be presented; and

(D) includes notice that even if all procedures are followed, there is no guarantee that a provisional ballot will be accepted.

(h) The requirements for identification prescribed by Subsection (b) do not apply to a voter who:

(1) presents the voter's voter registration certificate on offering to vote; and

(2) was 70 years of age or older on January 1, 2012, as indicated by the date of birth on the voter's voter registration certificate.

SECTION 8. Subsection (a), Section 63.0011, Election Code, is amended to read as follows:

(a) Before a voter may be accepted for voting, an election officer shall ask the voter if the voter's residence address on the precinct list of registered voters is current and whether the voter has changed residence within the county. If the voter's address is omitted from the precinct list under Section 18.005(c), the officer shall ask the voter if the voter's residence, if [as] listed, on identification presented by the voter under Section 63.001(b) [the voter's voter registration certificate] is current and whether the voter has changed residence within the county.

SECTION 9. Chapter 63, Election Code, is amended by adding Section 63.0012 to read as follows:

Sec. 63.0012. NOTICE OF IDENTIFICATION REQUIREMENTS TO CERTAIN VOTERS. (a) An election officer shall distribute written notice of the identification that will be required to vote in elections held after January 1, 2012, and information on obtaining identification without a fee under Section 521.422, Transportation Code, to each voter who, when offering to vote, presents a form of identification that will not be sufficient for acceptance as a voter under this chapter beginning with those elections.

(b) The secretary of state shall prescribe the wording of the notice and establish guidelines for distributing the notice.

(c) This section expires September 1, 2013.

SECTION 10. Section 63.006, Election Code, is amended to read as follows:

Sec. 63.006. VOTER WITH REQUIRED DOCUMENTATION ~~[CORRECT CERTIFICATE]~~ WHO IS NOT ON LIST. (a) A voter who, when offering to vote, presents the documentation required under Section 63.001(b) [a voter registration certificate indicating that the voter is currently registered in the precinct in which the voter is offering to vote], but whose name is not on the precinct list of registered voters, shall be accepted for voting if the voter also presents a voter registration certificate indicating that the voter is currently registered:

(1) in the precinct in which the voter is offering to vote; or

(2) in a different precinct from the one in which the voter is offering to vote and the voter executes an affidavit stating that the voter:

(A) (i) is a resident of the precinct in which the voter is offering to vote or is otherwise entitled by law to vote in that precinct; or

(ii) was a resident of the precinct in which the voter is offering to vote at the time the information on the voter's residence address was last provided to the voter registrar;

(B) did not deliberately provide false information to secure registration in a precinct in which the voter does not reside; and

(C) is voting only once in the election.

(b) After the voter is accepted, an election officer shall:

(1) indicate beside the voter's name on the poll list that the voter was accepted under this section; and

(2) if applicable, enter on the registration omissions list the precinct of the voter's registration as indicated by the voter's registration certificate.

SECTION 11. Section 63.009, Election Code, is amended to read as follows:

Sec. 63.009. VOTER WITHOUT CERTIFICATE WHO IS NOT ON LIST. A ~~[(a) Except as provided by Subsection (b), a]~~ voter who does not present a voter registration certificate when offering to vote, and whose name is not on the list of registered voters for the precinct in which the voter is offering to vote, shall be accepted for provisional voting if the voter executes an affidavit in accordance with Section 63.011.

~~[(b) -- If an election officer can determine from the voter registrar that the person is a registered voter of the county and the person presents proof of identification, the affidavits required by Sections 63.007 and 63.008 are substituted for the affidavit required by Section 63.011 in complying with that section. After the voter is accepted under this subsection, an election officer shall also indicate beside the voter's name on the poll list that the voter was accepted under this section.]~~

SECTION 12. Section 63.0101, Election Code, is amended to read as follows:

Sec. 63.0101. DOCUMENTATION OF PROOF OF IDENTIFICATION. The following documentation is an acceptable form ~~[as proof]~~ of photo identification under this chapter:

(1) a driver's license or personal identification card issued to the person by the Department of Public Safety that has not ~~[or a similar document issued to the person by an agency of another state, regardless of whether the license or card has]~~ expired;

(2) a United States military identification card that contains the person's photograph that has not expired ~~[form of identification containing the person's photograph that establishes the person's identity];~~

(3) a ~~[birth certificate or other document confirming birth that is admissible in a court of law and establishes the person's identity;~~

~~[(4)]~~ United States citizenship certificate ~~[papers]~~ issued to the person that contains the person's photograph; or

(4) ~~[(5)]~~ a United States passport issued to the person that has not expired ~~[+]~~

~~[(6) -- official mail addressed to the person by name from a governmental entity;~~

~~[(7) -- a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter; or~~

~~[(8) -- any other form of identification prescribed by the secretary of state].~~

SECTION 13. Subsections (a) and (b), Section 63.011, Election Code, are amended to read as follows:

(a) A person to whom Section 63.001(g) ~~[63.008(b)]~~ or 63.009

[~~63.009(a)~~] applies may cast a provisional ballot if the person executes an affidavit stating that the person:

(1) is a registered voter in the precinct in which the person seeks to vote; and

(2) is eligible to vote in the election.

(b) A form for an affidavit required by this section shall be printed on an envelope in which the provisional ballot voted by the person may be placed and must include a space for entering the identification number of the provisional ballot voted by the person and a space for an election officer to indicate whether the person presented a form of identification described by Section 63.0101.

The affidavit form may include space for disclosure of any necessary information to enable the person to register to vote under Chapter 13. The secretary of state shall prescribe the form of the affidavit under this section.

SECTION 14. Subsection (b), Section 64.012, Election Code, is amended to read as follows:

(b) An offense under this section is a felony of the second [~~third~~] degree unless the person is convicted of an attempt. In that case, the offense is a state jail felony [~~Class A misdemeanor~~].

SECTION 15. Subsection (b), Section 65.054, Election Code, is amended to read as follows:

(b) A provisional ballot shall [~~may~~] be accepted [~~only~~] if the board determines that, from the information in the affidavit or contained in public records, the person is eligible to vote in the election and has not previously voted in that election and the person meets the identification requirements of Section 63.001(b) in the period prescribed under Section 65.0541.

SECTION 16. Subchapter B, Chapter 65, Election Code, is amended by adding Section 65.0541 to read as follows:

Sec. 65.0541. PRESENTATION OF IDENTIFICATION FOR CERTAIN PROVISIONAL BALLOTS. (a) A voter who is accepted for provisional voting under Section 63.011 because the voter does not meet the identification requirements of Section 63.001(b) may, not later than the sixth day after the date of the election, present proof of identification to the voter registrar for examination by the early voting ballot board.

(b) The secretary of state shall prescribe procedures as necessary to implement this section.

SECTION 17. Section 66.0241, Election Code, is amended to read as follows:

Sec. 66.0241. CONTENTS OF ENVELOPE NO. 4. Envelope no. 4 must contain:

(1) the precinct list of registered voters;
(2) the registration correction list;
(3) the registration omissions list;
(4) any statements of residence executed under Section 63.0011; and

(5) any affidavits executed under Section 63.006 [~~63.007~~] or 63.011.

SECTION 18. Section 521.422, Transportation Code, is amended by amending Subsection (a) and adding Subsection (d) to read as follows:

(a) Except as provided by Subsection (d), the [~~The~~] fee for a personal identification certificate is:

(1) \$15 for a person under 60 years of age;
(2) \$5 for a person 60 years of age or older; and

(3) \$20 for a person subject to the registration requirements under Chapter 62, Code of Criminal Procedure.

(d) The department may not collect a fee for a personal identification certificate issued to a person who states that the person is obtaining the personal identification certificate for the purpose of satisfying Section 63.001(b), Election Code, and:

(1) who is a registered voter in this state and presents a valid voter registration certificate; or

(2) who is eligible for registration under Section 13.001, Election Code, and submits a registration application to the department.

SECTION 19. Effective January 1, 2012, Sections 63.007 and 63.008, Election Code, are repealed.

SECTION 20. As soon as practicable after the effective date of this section:

(1) the secretary of state shall adopt the training standards and develop the training materials required to implement the change in law made by this Act to Section 32.111, Election Code; and

(2) the county clerk of each county shall provide a session of training under Section 32.114, Election Code, using the standards adopted and materials developed to implement the change in law made by this Act to Section 32.111, Election Code.

SECTION 21. The change in law made by this Act applies only to an offense committed on or after January 1, 2012. An offense committed before January 1, 2012, is covered by the law in effect when the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense is committed before January 1, 2012, if any element of the offense occurs before that date.

SECTION 22. State funds disbursed under Chapter 19, Election Code, for the purpose of defraying expenses of the voter registrar's office in connection with voter registration may also be used for additional expenses related to coordinating voter registration drives or other activities designed to expand voter registration. This section expires January 1, 2013.

SECTION 23. (a) Except as provided by Subsection (b) of this section, this Act takes effect January 1, 2012.

(b) The changes in law made by Sections 1, 3, 4, 5, 9, 20, and 22 of this Act take effect September 1, 2011.

* * * * *

SENATE JOURNAL

EIGHTY-SECOND LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

FIFTH DAY

(Continued)

(Wednesday, January 26, 2011)

AFTER RECESS

The Senate met at 11:10 a.m. and was called to order by President Pro Tempore Ogden.

Rabbi Brian Strauss, Congregation Beth Yeshurun, Houston, offered the invocation as follows:

Almighty God and universal father over all of mankind, we are gathered here to deliberate and make difficult decisions concerning the welfare of our fellow Texans. As we begin, we beseech Your divine assistance, and we pray that You cast the rays of Your divine guidance upon all assembled here, our Lieutenant Governor, Senators, and all others who sacrifice every day to make Texas a better place. Help us, O Lord, to give a full measure of devotion with sincerity and honesty to those problems—political, social, and economic—which continue to knock upon the doors of humanity. Enable us to reflect and to discuss the matters before us in a spirit of wisdom, intelligence, and in the light of Your eternal truth. We beseech You, eternal God, to help us concentrate our efforts toward the eradication of hatred, prejudice, selfishness, poverty, and all forms of human suffering. O Lord, may goodwill and peace belong to all; and one day, may the people of this great state proclaim in unison: All people are deserving of our help as we are all created in the image of God. To this, let us say, Amen.

SENATE RESOLUTION 74

Senator Nelson offered the following resolution:

SR 74, Proclaiming January, 2011, Communities In Schools Month and January 26, 2011, Communities In Schools Day at the State Capitol.

The resolution was again read.

The resolution was previously adopted on Monday, January 24, 2011.

GUESTS PRESENTED

Senator Nelson was recognized and introduced to the Senate Gary Henderson, Sandy Chavarria, and a Communities In Schools delegation.

The Senate welcomed its guests.

TX_00002720

JA_001228

TX_00002720

SENATE RESOLUTION 48

Senator Harris offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize the 2010 American League champion Texas Rangers on the occasion of the first World Series appearance in franchise history; and

WHEREAS, Originally based in the nation's capital and known as the Washington Senators, the franchise moved to Arlington after the 1971 season and began its history as the Texas Rangers; through the years, the Rangers have appeared in the playoffs three times prior to the 2010 season; and

WHEREAS, On August 12, 2010, Major League Baseball unanimously approved the sale of the Texas Rangers from Thomas O. Hicks to the group known as Rangers Baseball Express, led by Chuck Greenberg and Nolan Ryan; and

WHEREAS, The 2010 Rangers became the first team in franchise history to win a playoff series when they defeated the Tampa Bay Rays three games to two in the American League Division Series; they went on to avenge three previous playoff series losses to the New York Yankees by defeating them in six games in the American League Championship Series to advance to the World Series; and

WHEREAS, These skilled athletes have demonstrated great talent, enthusiasm, and perseverance throughout the year; overcoming a slow start, they ended the regular season with a record of 90-72, winning the American League West Division; team members can take great pride in their outstanding performance; and

WHEREAS, Under the superior leadership and expertise of manager Ron Washington and the entire front office, the Rangers have developed exceptional teamwork and discipline and have laid the foundation for continued success in the years to come; and

WHEREAS, The citizens of Arlington and the Dallas-Fort Worth Metroplex and Texans across the state are proud of the Rangers for their hard work, their impressive skills, and their fine sportsmanship; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 82nd Legislature, hereby commend the Texas Rangers on their exceptional season and extend to them congratulations on winning the American League championship and advancing to the World Series; and, be it further

RESOLVED, That a copy of this Resolution be prepared for the team as an expression of high regard from the Texas Senate.

HARRIS

DAVIS

(President in Chair)

SR 48 was again read.

The resolution was previously adopted on Tuesday, January 25, 2011.

TX_00002721

JA_001229

TX_00002721

GUESTS PRESENTED

Senator Harris was recognized and introduced to the Senate Nolan Ryan and Chuck Greenberg, co-owners of the Texas Rangers, as well as Ron Washington, manager.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Zaffirini, joined by Senator Watson, was recognized and introduced to the Senate the Girls' School of Austin fourth grade class including Sophia Martinez and teacher, Rachael Lee.

The Senate welcomed its guests.

PHYSICIAN OF THE DAY

Senator Davis was recognized and presented Dr. Joane Baumer of Fort Worth as the Physician of the Day.

The Senate welcomed Dr. Baumer and thanked her for her participation in the Physician of the Day program sponsored by the Texas Academy of Family Physicians.

SENATE RESOLUTION 2

Senator Ogden offered the following resolution:

SR 2, Congratulating members of the TALL XII class for their selection as participants.

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Ogden was recognized and introduced to the Senate Dr. Jim Mazurkiewicz, Leadership Program Director and Professor, Texas Agrilife Extension Service, and members of the TALL XII class.

The Senate welcomed its guests.

GUEST PRESENTED

Senator Gallegos was recognized and introduced to the Senate Sylvia Garcia, President of the National Association of Latino Elected Officials.

The Senate welcomed its guest.

SENATE RESOLUTION 83

Senator Williams offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize the Jewish Federation of Greater Houston on the occasion of its 75th anniversary; and

WHEREAS, The Jewish Federation of Greater Houston was founded in 1936 as the Jewish Community Council to support Jewish causes and to further social services and philanthropic works locally, nationally, and around the world; its mission is to preserve and enrich Jewish communal life through innovative and visionary leadership that is responsive and responsible to Jewish communities everywhere; and

WHEREAS, The federation has for 75 years worked to give voice to the Jewish community and to ensure that the basic necessities of life are provided for its most vulnerable members, including those who are poor, elderly, or disabled; and

WHEREAS, Jewish tradition calls on each individual to contribute to the well-being of the less fortunate, and the federation has diligently worked to help the members of the Houston Jewish community fulfill this charge; along with its partners, it provides numerous volunteer opportunities for people of all ages; and

WHEREAS, This exemplary organization honors another central tenet of Jewish tradition by engaging young people and inspiring their connection to the community so that teachings may be passed from one generation to the next; it is truly deserving of recognition for its many contributions to the Houston community; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 82nd Legislature, hereby commend the Jewish Federation of Greater Houston on its legacy of philanthropy and support and extend to its members best wishes for a memorable 75th anniversary; and, be it further

RESOLVED, That a copy of this Resolution be prepared for the federation as an expression of high regard from the Texas Senate.

WILLIAMS
SHAPIRO
WHITMIRE

SR 83 was again read.

On motion of Senator Huffman and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

The resolution was previously adopted on Tuesday, January 25, 2011.

GUESTS PRESENTED

Senator Williams was recognized and introduced to the Senate Jewish Federation of Greater Houston members: Steven Finkelman, Leonard Goldstein, Rob Shoss, Lee Wunsch, and Lisa Yoram.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Watson was recognized and introduced to the Senate a fourth grade class from Hyde Park Baptist Schools and teachers, Peggy Buckmeyer and Claudia Bernard.

The Senate welcomed its guests.

SENATE RESOLUTION 81

Senator Harris offered the following resolution:

SR 81, Celebrating January 26, 2011, as Arlington to Austin Day.

HARRIS
DAVIS

The resolution was again read.

The resolution was previously adopted on Tuesday, January 25, 2011.

GUESTS PRESENTED

Senator Harris, joined by Senator Davis, was recognized and introduced to the Senate members of the Arlington Chamber of Commerce: Earl Harcrow, Foundation Chair; Robert Cluck, Mayor; Jerry McCullough, Arlington ISD Superintendent; and Wes Jurey, President.

The Senate welcomed its guests.

SENATE RESOLUTION 73

Senator Nelson offered the following resolution:

SR 73, Recognizing January 23 through January 29, 2011, as Texas Nurse Anesthetists Week.

The resolution was again read.

The resolution was previously adopted on Monday, January 24, 2011.

GUESTS PRESENTED

Senator Nelson was recognized and introduced to the Senate the Texas Association of Nurse Anesthetists delegation.

The Senate welcomed its guests.

SENATE RESOLUTION 82

Senator Zaffirini offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to honor the City of Laredo and its delegation and to recognize January 26, 2011, as Laredo Legislative Day at the Capitol; and

WHEREAS, Laredo, truly a gem along the Rio Grande, was established in 1755 by Don Tomas Sanchez, and its history offers a compelling tale, as the town was forged by Spaniards, Indians, Mexicans, Texans, and Americans; a dynamic bilingual and bicultural community, it is a true Texas city proud of its Mexican roots, making it a unique city under seven flags that daily celebrates its dual historical and cultural ties; and

WHEREAS, Situated on the banks of the Rio Grande, Laredo is now the 10th-largest city in Texas and the largest inland port on the southern United States border; it is one of the top four ports-of-commerce in the nation, and in 2010, the city handled 40 percent of all overland trade between the United States and Mexico; and

WHEREAS, Education plays a vital role in the life of Laredo, where three institutes of higher learning have almost 110 years of combined experience; Laredo Community College, first established in 1947 on the 100-year-old grounds of the historic Fort McIntosh, boasts two campuses to better serve the entire city; Texas A&M International University has been educating local Laredo leaders for the last 40 years; and the Laredo Extension Campus of The University of Texas Health Science Center at San Antonio thrives with students, who benefit from new interlocal agreements that give medical students practical experience; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 82nd Legislature, hereby extend best wishes for a celebratory Laredo Legislative Day at the Capitol; and, be it further

RESOLVED, That a copy of this Resolution be prepared for the citizens of Laredo as a memento of this occasion.

SR 82 was again read.

The resolution was previously adopted on Tuesday, January 25, 2011.

GUESTS PRESENTED

Senator Zaffirini was recognized and introduced to the Senate Raul Salinas, Mayor of the City of Laredo; Nora Rivera, Mayor of the City of Rio Bravo; and Laredo City Councilmembers: Cindy Liendo Espinoza, Juan Narvaez, Alejandro Perez, Jr., Esteban Rangel, and Charlie San Miguel.

The Senate welcomed its guests.

SENATE RESOLUTION 90

Senator Ogden offered the following resolution:

SR 90, Recognizing Lisa Benford on the occasion of her retirement from the Texas Legislative Council.

The resolution was read and was adopted without objection.

GUEST PRESENTED

Senator Ogden was recognized and introduced to the Senate Lisa Benford and congratulated her on her retirement from the Texas Legislative Council.

The Senate welcomed its guest.

GUESTS PRESENTED

Senator Birdwell was recognized and introduced to the Senate members of Leadership Farm Bureau.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Zaffirini was recognized and introduced to the Senate members of the Texas Farm Bureau, Atascosa County: Lloyd House, Raymond Meyer, Martin Krueger, Bettie House, Shirley Stevens, Walter Stevens, Anna Meyer, Pete Pawelek, and Lynse Pawelek, accompanied by Clifton Stacey, Frio County.

The Senate welcomed its guests.

SENATE RESOLUTION 56

Senator Watson offered the following resolution:

SR 56, In memory of Dr. James Paul Duncan of Austin.

On motion of Senator Watson, the resolution was read and was adopted by a rising vote of the Senate.

In honor of the memory of James Paul Duncan, the text of the resolution is printed at the end of today's *Senate Journal*.

GUESTS PRESENTED

Senator Watson was recognized and introduced to the Senate family members of James Paul Duncan: Nancy Duncan, wife; Brad Duncan, son; Mary de la Garza, daughter; Kevin Sadler, former son-in-law; and Cullen Sadler, grandson.

The Senate welcomed its guests and extended its sympathy.

RECESS

On motion of Senator Whitmire, the Senate at 12:28 p.m. recessed until 2:30 p.m. today.

AFTER RECESS

The Senate met at 2:49 p.m. and was called to order by the President.

SENATE RESOLUTION 119

The President laid before the Senate the following resolution:

WHEREAS, Subsection (b), Section 5, Article III, Texas Constitution, reads:

"When convened in regular Session, the first thirty days thereof shall be devoted to the introduction of bills and resolutions, acting upon emergency appropriations, passing upon the confirmation of the recess appointees of the Governor and such emergency matters as may be submitted by the Governor in special messages to the Legislature. During the succeeding thirty days of the regular session of the Legislature the various committees of each House shall hold hearings to consider all bills and resolutions and other matters then pending; and such emergency matters as may be submitted by the Governor. During the remainder of the session the Legislature shall act upon such bills and resolutions as may be then pending and upon such emergency matters as may be submitted by the Governor in special messages to the Legislature."; and

WHEREAS, It is specifically provided in Subsection (c), Section 5, Article III, Texas Constitution, that either house may otherwise determine its order of business by an affirmative vote of four-fifths of its membership; now, therefore, be it

RESOLVED by the Senate of the State of Texas, 82nd Legislature, by an affirmative vote of four-fifths of its membership, That the senate determine that the constitutional order of business for the first thirty days of the regular session is hereby suspended to the extent necessary to allow the senate to hold hearings during the first thirty days to consider any bill, resolution, or other matter pending before the senate.

ELTIFE

SR 119 was read and was adopted by the following vote: Yeas 30, Nays 0.

Absent: Uresti.

LEAVE OF ABSENCE

On motion of Senator Whitmire, Senator Uresti was granted leave of absence for the remainder of the day on account of important business.

**MOTION TO PLACE
SENATE BILL 14 ON SECOND READING**

Senator Fraser moved to suspend all necessary rules at this time to take up for consideration **SB 14** on its second reading (Set as special order) (Submitted by Governor as an emergency matter):

SB 14, Relating to requirements to vote, including presenting proof of identification; providing criminal penalties.

Question — Shall all necessary rules be suspended?

Senator Van de Putte was recognized to read a statement in reference to **SB 14**.

Senator West moved to have Senator Van de Putte's statement reduced to writing and printed in the *Senate Journal*.

There was objection.

Senator Duncan was recognized to comment on Senator Van de Putte's statement and asked that his remarks be reduced to writing and printed in the *Senate Journal*.

Senator West withdrew his motion.

Question — Shall all necessary rules be suspended?

MOTION IN WRITING

Senator Fraser offered the following Motion In Writing:

Mr. President:

I move to suspend all necessary rules to take up and consider **SB 14** at this time.

FRASER

Question — Shall the Motion In Writing be adopted?

Senator Whitmire was recognized to comment on the statements by Senator Van de Putte and Senator Duncan.

Senator West again moved to have Senator Van de Putte's remarks reduced to writing.

There was objection.

Senator Duncan offered a substitute motion to have the remarks by Senators Van de Putte, Duncan, and Whitmire reduced to writing and printed in the *Senate Journal*.

The substitute motion was adopted without objection.

REMARKS

Senator Van de Putte: Thank you, Mr. Chairman, and thank you, Mr. President. The Senate Democrats, including those who represent districts in which minority voters are electing candidates of their choice, and who also speak on behalf of minority voters in this state, have made clear their unanimous opposition to the voter ID legislation. That opposition remains. And no matter the specific time of passage of this bill, the outcome is inevitable and our opposition remains firm. In the interest of

continuing debate on the legislation during appropriate hours, however, and to avoid late night debate, which the public would find more difficult to observe, we will not oppose a vote to suspend the 24-hour layout requirement. Debate on this legislation was in the Committee of the Whole consisting of all 31 Members of the Senate. Thus, we see little compelling need for such layout requirement, which typically exists to give those Senators not on the relevant committee opportunity to review legislation. All 31 Senators have had ample opportunity to review the bill, which is the purpose of having a layout requirement. Thank you, Mr. Chairman.

Senator Duncan: I appreciate the fact that we're working together to try to move this bill and we've talked and worked a lot, but the only thing in your statement that I might have exception to is the fact that all Members of this Senate represent minority voters. And, I want to make clear that that is a statement of this whole body and not just of one political party or another. So, with that understanding, I will go ahead and not have an objection. And, I'd like my comments put in the record, if we could.

Senator Whitmire: Senator Duncan, I want to clarify in your comments to Senator Van de Putte before you pose the question, really a comment. You said that you felt like all Members on the floor were attempting to move the bill forward.

Senator Duncan: That's correct.

Senator Whitmire: Okay, well, I want to strongly disagree with you that that's not the position of the opposition. We're not voting for this rule, or this motion because we're trying to move this bill forward. We're trying to move the process forward and the only, and the distinction is we'll do it at 9:20 tonight or at three o'clock this afternoon, but we're going to do everything we can to stop this bill.

Senator Duncan: I understand that.

Senator Whitmire: But we want to have the discussion in the middle of the afternoon versus the middle of the morning.

Senator Duncan: That wasn't my, that, that really—

Senator Whitmire: I know.

Senator Duncan: —wasn't what I intended to say.

Senator Whitmire: You understand.

Senator Duncan: I just, I was intending to, I, I was objecting to the statement to the extent—

Senator Whitmire: I respect that.

Senator Duncan: —it said that, you know, that it implied that not all Members of this body represent minority interests. That was my objection and that's what I wanted in the record.

Senator Whitmire: Certainly, and I think you have a right to make that record and I heard your feelings, but I could not allow your comment that we're all, 31 of us, attempting to move this bill forward, on the record, without making it very clear that that's not the way we feel towards voting for this motion, which allow us to bring it

up immediately. We're very much opposed to the bill, which you will get to witness in a moment. But we do think it good judgment to go forward at this point, versus going into the mid-part of the next morning.

Senator Duncan: I think we can all agree on that and I think we understand that. I had only one objection to the statement and I made that objection.

Question — Shall the Motion In Writing be adopted?

The President requested the Secretary of the Senate to again read the Motion In Writing.

MOTION IN WRITING

The Secretary of the Senate again read the following Motion In Writing:

Mr. President:

I move to suspend all necessary rules to take up and consider **SB 14** at this time.

FRASER

Senator Fraser withdrew the Motion In Writing.

MOTION IN WRITING

Senator Fraser offered the following Motion In Writing:

Mr. President:

I move to suspend Senate Rule 5.11 and Senate Rule 7.12 to take up **SB 14** at this time, which is set as a special order for 9:20 p.m. today.

FRASER

The Motion In Writing was read and was adopted without objection.

SENATE BILL 14 ON SECOND READING

The President laid before the Senate **SB 14** by Senator Fraser at this time on its second reading (Set as special order) (Submitted by Governor as an emergency matter):

SB 14, Relating to requirements to vote, including presenting proof of identification; providing criminal penalties.

The bill was read second time.

Senator Watson offered the following amendment to the bill:

Floor Amendment No. 1

Amend **SB 14** by striking below the enacting clause and adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS accordingly:

SECTION __. Subchapter A, Chapter 61, Election Code, is amended by adding Section 61.015 to read as follows:

Sec. 61.015. FRAUDULENT OR DECEPTIVE VOTING PRACTICES. (a) A person commits an offense if the person knowingly:

(1) impersonates or attempts to impersonate another person, or uses or attempts to use the identify of another person, for the purpose of voting in any election in this state.

(2) removes the name of an eligible voter from the list of registered voters or the poll list for the precinct;

(3) prevents the deposit in the ballot box of a marked and properly folded ballot that was provided at the polling place to the voter who is depositing it or for whom the deposit is attempted;

(4) provides false information to a voter about voting procedures, resulting in the voter:

(A) refraining from voting under a reasonable belief that the voter may not vote or that the procedures are intimidating or cumbersome; or

(B) otherwise being prevented from casting a ballot that may legally be counted;

(5) places restrictions on a voter's exercise of the right to vote that are not required by this code, resulting in the voter:

(A) refraining from voting under a reasonable belief that the voter may not vote; or

(B) otherwise being prevented from casting a ballot that may legally be counted; or

(6) impersonates a law enforcement officer or provides false information about law enforcement procedures for the purpose of intimidating voters regardless of whether the voter casts a vote.

(b) An offense under this section is a felony of the first degree.

SECTION __. Subsections 64.010(a)(2) and 64.012(a)(3), Election Code, are repealed.

SECTION __. The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect when the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense was committed before that date.

SECTION __. This Act takes effect September 1, 2011.

WATSON
RODRIGUEZ

The amendment to **SB 14** was read.

(President Pro Tempore Ogden in Chair)

On motion of Senator Fraser, Floor Amendment No. 1 was tabled by the following vote: Yeas 19, Nays 11.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Rodriguez, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

Senator Davis offered the following amendment to the bill:

Floor Amendment No. 2

Amend **SB 14** by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Sections 20.063(a) and (b), Election Code, are amended to read as follows:

(a) The Department of Public Safety shall:

(1) provide to each person who applies in person at the department's offices for an original or renewal of a driver's license, a personal identification card, or a duplicate or corrected license or card ~~[an opportunity to complete]~~ a voter registration application form and an opportunity to complete the form; and

(2) inform each person who applies in person at the department's offices for an original or renewal personal identification card or a duplicate or corrected card that the department may not collect a fee for a personal identification card issued to a person who states that the person is obtaining the personal identification card for the purpose of voting and:

(A) who is a registered voter in this state and presents a valid voter registration certificate; or

(B) who is eligible for registration under Section 13.001 and submits a registration application to the department.

(b) When the department processes a license or card for renewal by mail, the department shall deliver to the applicant by mail a voter registration application form. The department by rule shall prescribe a form and manner of providing to persons renewing licenses and cards by mail a notice stating the information required to be provided under Subsection (a) to a person who applies in person at the department's offices for an original or renewal personal identification card or a duplicate or corrected card.

The amendment to **SB 14** was read.

On motion of Senator Fraser, Floor Amendment No. 2 was tabled by the following vote: Yeas 19, Nays 11.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Rodriguez, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

Senator Gallegos offered the following amendment to the bill:

Floor Amendment No. 3

Amend **SB 14** as follows:

(1) In SECTION 3 of the bill, in added Section 31.012(a), Election Code (page 2, line 19), between "website" and the period, insert "in each language in which voter registration materials are available".

(2) In SECTION 3 of the bill, add a new subsection to added Section 31.012, Election Code (page 2, between lines 23 and 24), to read as follows:

(c) The county clerk of each county shall post in a prominent location at the clerk's office a physical copy of the notice prescribed under Subsection (a) in each language in which voter registration materials are available.

GALLEGOS
HINOJOSA
LUCIO

The amendment to **SB 14** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 3 except as follows:

Absent-excused: Uresti.

Senator Lucio offered the following amendment to the bill:

Floor Amendment No. 4

Amend **SB 14** as follows:

(1) In SECTION 3 of the bill, in added Section 31.012(a), Election Code (page 2, line 19), between "website" and the period, add "in English and Spanish".

(2) In SECTION 3 of the bill, in added Section 31.012, Election Code (page 2, between lines 23 and 24), add the following new subsection:

(c) The county election administrator or county clerk, as applicable, shall post in a prominent location a physical copy of the notice prescribed by Subsection (a) in English and Spanish.

LUCIO
HINOJOSA

The amendment to **SB 14** was read.

Senator Lucio withdrew Floor Amendment No. 4.

Senator Zaffirini offered the following amendment to the bill:

Floor Amendment No. 5

Amend **SB 14** in SECTION 3 of the bill, in added Section 62.016, Election Code (page 3, line 20), after "24-point", by adding "The notices required under this subsection shall be posted separately from all other notices required by state or federal law."

The amendment to **SB 14** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 5 except as follows:

Absent-excused: Uresti.

Senator Davis offered the following amendment to the bill:

Floor Amendment No. 6

Amend **SB 14** in SECTION 7 of the bill, in amended Section 63.001(c), Election Code (page 4, line 6), by adding after the period "If in determining whether a voter's name is on the list of registered voters the election officer determines that the voter's name on the documentation does not match exactly the name on the list, the voter shall be accepted for voting as otherwise required by this section if the voter submits an affidavit stating that the voter is the person on the list of registered voters."

The amendment to **SB 14** was read.

Senator Davis withdrew Floor Amendment No. 6.

Senator Van de Putte offered the following amendment to the bill:

Floor Amendment No. 7

Amend **SB 14** in SECTION 7 of the bill, in amended Section 63.001(d), Election Code (page 4, line 10), by adding after the period "In determining whether to accept a voter for voting, the election officer may not consider whether any address shown on the voter's documentation matches the address of the voter as shown on the list."

The amendment to **SB 14** was read.

On motion of Senator Fraser, Floor Amendment No. 7 was tabled by the following vote: Yeas 19, Nays 11.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Rodriguez, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

Senator Davis offered the following amendment to the bill:

Floor Amendment No. 8

Amend **SB 14** in SECTION 7 of the bill, in amended Section 63.001(d), Election Code (page 4, line 10), by adding after the period "In the event of an inconsistency between an address that appears on the documentation presented by a voter described by this subsection and the voter registration list, the voter shall be accepted if the voter asserts that the address that appears on the voter registration list is the voter's address for the purposes of voting."

The amendment to **SB 14** was read.

Senator Davis withdrew Floor Amendment No. 8.

Senator Hinojosa offered the following amendment to the bill:

Floor Amendment No. 9

Amend **SB 14** in SECTION 9 of the bill by striking added Section 63.0012(c), Election Code and replacing with the following:

(c) This section expires September 1, 2017.

The amendment to **SB 14** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 9 except as follows:

Absent-excused: Uresti.

Senator Zaffirini offered the following amendment to the bill:

Floor Amendment No. 10

Amend **SB 14** as follows:

(1) In SECTION 7 of the bill, in the recital (page 3, line 23), strike "(g) and (h)" and substitute "(g), (h), and (i)".

(2) In SECTION 7 of the bill, in proposed Section 63.001(b), Election Code (page 3, line 26, through page 4, line 1), strike the text and substitute the following:
place:

(1) one form of identification listed in Section 63.0101; or

(2) the voter's voter registration certificate, accompanied by the affidavit described by Subsection (i) [to an election officer at the polling place].

(3) In SECTION 7 of the bill, following proposed Section 63.001(h), Election Code (page 5, between lines 10 and 11), add the following:

(i) If the requirement for identification prescribed by Subsection (b) is not met, an election officer shall notify the voter that the voter may be accepted for voting if the voter executes an affidavit under penalty of perjury stating that the voter is the person named on the voter registration certificate. The affidavit shall be in a form prescribed by the secretary of state and must include the voter's name, address, date of birth, and signature.

The amendment to **SB 14** was read.

On motion of Senator Fraser, Floor Amendment No. 10 was tabled by the following vote: Yeas 18, Nays 12.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Ogden, Rodriguez, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

(President in Chair)

Senator Davis offered the following amendment to the bill:

Floor Amendment No. 11

Amend **SB 14** as follows:

(1) In SECTION 7 of the bill, in the introductory language (page 3, line 23), strike "(g) and (h)" and substitute "(g), (h), and (i)".

(2) In SECTION 7 of the bill, following added Section 63.001(h), Election Code (page 5, between lines 10 and 11), insert the following:

(i) A voter whose name as listed on the identification prescribed by Subsection (b) does not match the name on the precinct list of registered voters shall still be accepted for voting if the voter is a woman and:

(1) presents a marriage license or divorce decree that lists a name that matches the name on the precinct list of registered voters; or

(2) executes an affidavit stating the voter's name is the name on the precinct list of registered voters but has been changed due to marriage or divorce.

DAVIS

ELLIS

The amendment to **SB 14** was read.

Senator Fraser moved to table Floor Amendment No. 11.

Senator Fraser withdrew the motion to table Floor Amendment No. 11.

Senator Davis temporarily withdrew Floor Amendment No. 11.

Senator Davis offered the following amendment to the bill:

Floor Amendment No. 12

Amend **SB 14** as follows:

(1) In SECTION 9 of the bill, adding Section 63.0012(a), Election Code (page 6, lines 1 and 2), strike "Section 521.422, Transportation Code," and substitute "Section 63.010".

(2) Strike SECTION 18 of the bill, amending Section 521.422, Transportation Code (page 11, lines 2 through 19).

(3) Add the following appropriately numbered SECTION to the bill, and renumber the remaining SECTIONS of the bill accordingly:

SECTION _____. Chapter 63, Election Code, is amended by adding Section 63.010 to read as follows:

Sec. 63.010. FEES PROHIBITED FOR CERTAIN FORMS OF IDENTIFICATION DOCUMENTATION. Notwithstanding any other law, an agency, institution, or political subdivision of this state may not charge any fee for the issuance of any document that may be used:

(1) as proof of identification under this chapter; or

(2) to obtain a document that may be used as proof of identification under this chapter.

The amendment to **SB 14** was read.

On motion of Senator Fraser, Floor Amendment No. 12 was tabled by the following vote: Yeas 19, Nays 11.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Rodriguez, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

Senator Davis offered the following amendment to the bill:

Floor Amendment No. 13

Amend **SB 14** as follows:

(1) In SECTION 12 of the bill, in amended Section 63.0101, Election Code (page 8, line 9), strike "that has not" and substitute ", regardless of whether it has".

(2) In SECTION 12 of the bill, in amended Section 63.0101, Election Code (page 8, line 13), strike "that has not" and substitute ", regardless of whether it has".

(3) In SECTION 12 of the bill, in amended Section 63.0101, Election Code (page 8, line 22), strike "that has not" and substitute ", regardless of whether it has".

The amendment to **SB 14** was read.

On motion of Senator Fraser, Floor Amendment No. 13 was tabled by the following vote: Yeas 19, Nays 11.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Rodriguez, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

Senator Lucio offered the following amendment to the bill:

Floor Amendment No. 14

Amend **SB 14** in SECTION 12 of the bill by striking amended Section 63.0101, Election Code (page 8, line 5, through page 9, line 2), and substituting the following:

Sec. 63.0101. DOCUMENTATION OF PROOF OF IDENTIFICATION. The ~~[following]~~ documentation ~~[is]~~ acceptable as proof of identification under this chapter is the same as the documentation required by the Department of Public Safety under Section 521.142, Transportation Code, for an application for the issuance of a driver's license, including the thumbprints, photograph, and signature of the voter~~[-~~

~~[(1) a driver's license or personal identification card issued to the person by the Department of Public Safety or a similar document issued to the person by an agency of another state, regardless of whether the license or card has expired;~~

~~[(2) a form of identification containing the person's photograph that establishes the person's identity;~~

~~[(3) a birth certificate or other document confirming birth that is admissible in a court of law and establishes the person's identity;~~

~~[(4) United States citizenship papers issued to the person;~~

~~[(5) a United States passport issued to the person;~~

~~[(6) official mail addressed to the person by name from a governmental entity;~~

~~[(7) a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter; or~~

~~[(8) any other form of identification prescribed by the secretary of state].~~

The amendment to **SB 14** was read.

On motion of Senator Fraser, Floor Amendment No. 14 was tabled by the following vote: Yeas 19, Nays 11.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Rodriguez, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

Senator Davis offered the following amendment to the bill:

Floor Amendment No. 15

Amend **SB 14** by striking SECTION 12 of the bill and substitute with new SECTION 12 as follows:

SECTION 12. Section 63.0101, Election Code, is amended to read as follows:

Sec. 63.0101. DOCUMENTATION OF PROOF OF IDENTIFICATION. The following documentation is an acceptable form ~~[as proof]~~ of photo identification under this chapter:

(1) a driver's license or personal identification card issued to the person by the Department of Public Safety that has not ~~[or a similar document issued to the person by an agency of another state, regardless of whether the license or card has]~~ expired or has expired after the date of the most recent general election;

(2) a United States military identification card that contains the person's photograph that has not expired or has expired after the date of the most recent general election ~~[form of identification containing the person's photograph that establishes the person's identity];~~

(3) a ~~[birth certificate or other document confirming birth that is admissible in a court of law and establishes the person's identity;~~

~~[(4)]~~ United States citizenship certificate ~~[papers]~~ issued to the person that contains the person's photograph; or

(4) [(5)] a United States passport issued to the person that has not expired or has expired after the date of the most recent general election[;

~~[(6) official mail addressed to the person by name from a governmental entity;~~

~~[(7) a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter; or~~

~~[(8) any other form of identification prescribed by the secretary of state].~~

The amendment to **SB 14** was read.

Senator Davis temporarily withdrew Floor Amendment No. 15.

Senator Van de Putte offered the following amendment to the bill:

Floor Amendment No. 16

Amend **SB 14** as follows:

(1) In SECTION 7 of the bill, strike amended Section 63.001(b), Election Code (page 3, line 24, through page 4, line 1), and substitute the following:

(b) Except as provided by Subsection (h), on ~~[On]~~ offering to vote, a voter must present to an election officer at the polling place either:

- (1) one form of identification listed in Section 63.0101(a); or
- (2) two different forms of identification listed in Section 63.0101(b) [the voter's voter registration certificate to an election officer at the polling place].

(2) In SECTION 12 of the bill, strike amended Section 63.0101, Election Code (page 8, line 5, through page 9, line 2), and substitute the following:

Sec. 63.0101. DOCUMENTATION OF PROOF OF IDENTIFICATION. (a) The following documentation is an acceptable form ~~[as proof]~~ of photo identification under this chapter:

(1) a driver's license or personal identification card issued to the person by the Department of Public Safety that has not expired or that expired no earlier than two years before the date of presentation ~~[or a similar document issued to the person by an agency of another state, regardless of whether the license or card has expired];~~

(2) a United States military identification card that contains the person's photograph ~~[form of identification containing the person's photograph that establishes the person's identity];~~

(3) a ~~[birth certificate or other document confirming birth that is admissible in a court of law and establishes the person's identity;~~

~~[(4)]~~ United States citizenship certificate [papers] issued to the person that contains the person's photograph;

~~[(4)]~~ a United States passport issued to the person;

(5) a license to carry a concealed handgun issued to the person by the Department of Public Safety; or

~~(6) [official mail addressed to the person by name from a governmental entity;~~

[(7)] a valid identification card that contains the person's photograph and is issued by:

(A) an agency or institution of the federal government; or

(B) an agency, institution, or political subdivision of this state.

(b) The following documentation is acceptable as proof of identification under this chapter:

(1) the voter's voter registration certificate or a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter;

(2) official mail addressed to the person by name from a governmental entity;

(3) a certified copy of a birth certificate or other document confirming birth that is admissible in a court of law and establishes the person's identity;

(4) United States citizenship papers issued to the person;

(5) an original or certified copy of the person's marriage license or divorce decree;

(6) court records of the person's adoption, name change, or sex change;

(7) an identification card issued to the person by a governmental entity of this state or the United States for the purpose of obtaining public benefits, including veteran's benefits, Medicaid, or Medicare;

(8) a temporary driving permit issued to the person by the Department of Public Safety;

(9) a pilot's license issued to the person by the Federal Aviation Administration or another authorized agency of the United States;

(10) a library card that contains the person's name issued to the person by a public library located in this state; or

(11) a hunting or fishing license issued to a person by the Parks and Wildlife Department [or

(12) any other form of identification prescribed by the secretary of state].

The amendment to **SB 14** was read.

On motion of Senator Fraser, Floor Amendment No. 16 was tabled by the following vote: Yeas 19, Nays 11.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Rodriguez, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

Senator Gallegos offered the following amendment to the bill:

Floor Amendment No. 17

Amend **SB 14** as follows:

(1) In SECTION 12 of the bill, in amended Section 63.0101, Election Code (page 8, line 7), strike "photo".

(2) In SECTION 12 of the bill, in amended Section 63.0101, Election Code (page 8, line 11), between "expired" and the semicolon, insert ", including a temporary driving permit issued under Section 524.011, Transportation Code".

The amendment to **SB 14** was read.

On motion of Senator Fraser, Floor Amendment No. 17 was tabled by the following vote: Yeas 19, Nays 11.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Rodriguez, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

Senator Hinojosa offered the following amendment to the bill:

Floor Amendment No. 18

Amend **SB 14** as follows:

(1) In SECTION 12 of the bill, in amended Section 63.0101, Election Code, strike "or".

(2) In SECTION 12 of the bill, in amended Section 63.0101, Election Code, following "expired", insert the following:

; or

(5) a license to carry a concealed handgun issued to the person by the Department of Public Safety of the State of Texas

HINOJOSA

PATRICK

The amendment to **SB 14** was read and was adopted by the following vote: Yeas 30, Nays 0.

Absent-excused: Uresti.

Senator Ellis offered the following amendment to the bill:

Floor Amendment No. 19

Amend **SB 14** as follows:

(1) In SECTION 12 of the bill, in amended Section 63.0101, Election Code (page 8, line 20), strike "or".

(2) In SECTION 12 of the bill, in amended Section 63.0101, Election Code (page 8, line 22), following "expired", insert the following:

; or

(5) for a person who is a student at an accredited public university located in the state of Texas, a student identification card that contains the person's photograph that has not expired issued to the person by the institution of higher education

The amendment to **SB 14** was read.

On motion of Senator Fraser, Floor Amendment No. 19 was tabled by the following vote: Yeas 19, Nays 11.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Rodriguez, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

Senator West offered the following amendment to the bill:

Floor Amendment No. 20

Amend **SB 14** as follows:

(1) In SECTION 12 of the bill, in amended Section 63.0101, Election Code (page 8, line 7), strike "photo".

(2) In SECTION 12 of the bill, in amended Section 63.0101, Election Code (page 8, line 20), strike "or".

(3) In SECTION 12 of the bill, in amended Section 63.0101, Election Code (page 8, line 22), following "expired", insert the following:
; or

(5) a Medicare identification card issued to the person by the United States Social Security Administration accompanied by a voter registration certificate issued to the person

WEST
RODRIGUEZ

The amendment to **SB 14** was read.

On motion of Senator Fraser, Floor Amendment No. 20 was tabled by the following vote: Yeas 19, Nays 11.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Rodriguez, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

Senator Davis offered the following amendment to the bill:

Floor Amendment No. 21

Amend **SB 14** as follows:

(1) In SECTION 12 of the bill, in amended Section 63.0101, Election Code (page 8, line 20), strike "or".

(2) In SECTION 12 of the bill, in amended Section 63.0101, Election Code (page 8, line 22), following "expired", insert the following:
; or

(5) a valid identification card, including an employee identification card, that contains the person's photograph and is issued by:

(A) an agency or institution of the federal government;

(B) an agency, institution, or political subdivision of this state; or

(C) an institution of higher education in this state

The amendment to **SB 14** was read.

On motion of Senator Fraser, Floor Amendment No. 21 was tabled by the following vote: Yeas 19, Nays 11.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Rodriguez, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

Senator Lucio offered the following amendment to the bill:

Floor Amendment No. 22

Amend **SB 14** as follows:

(1) In SECTION 12 of the bill, in amended Section 63.0101, Election Code (page 8, line 7), strike "photo".

(2) In SECTION 12 of the bill, in amended Section 63.0101, Election Code (page 8, line 11), between "expired" and the semicolon, insert "or that expired no earlier than 60 days before the date of presentation".

(3) In SECTION 12 of the bill, in amended Section 63.0101, Election Code (page 8, line 13), following "expired" add "or that expired no earlier than 60 days before the date of presentation".

(4) In SECTION 12 of the bill, in amended Section 63.0101, Election Code (page 8, line 20), strike "or".

(5) In SECTION 12 of the bill, in amended Section 63.0101, Election Code (page 8, line 22), following "expired", add "or that expired no earlier than 60 days before the date of presentation; or

(5) if the person is 65 years of age or older, an expired driver's license or personal identification card issued to the person by the Department of Public Safety or a similar document issued to the person by an agency of another state".

The amendment to **SB 14** was read.

On motion of Senator Fraser, Floor Amendment No. 22 was tabled by the following vote: Yeas 19, Nays 11.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Rodriguez, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

Senator Lucio offered the following amendment to the bill:

Floor Amendment No. 23

Amend **SB 14** as follows:

(1) In SECTION 12 of the bill, in amended Section 63.0101, Election code (page 8, line 11), between "expired" and the semicolon, insert "or that expired no earlier than 60 days before the date of presentation".

(2) In SECTION 12 of the bill, in amended Section 63.0101, Election Code (page 8, line 13), following "expired" add "or that expired no earlier than 60 days before the date of presentation".

(3) In SECTION 12 of the bill, in amended Section 63.0101, Election Code (page 8, line 22), following "expired", add "or that expired no earlier than 60 days before the date of presentation".

The amendment to **SB 14** was read and was adopted by the following vote: Yeas 30, Nays 0.

Absent-excused: Uresti.

Senator Hinojosa offered the following amendment to the bill:

Floor Amendment No. 24

Amend **SB 14** as follows:

(1) In SECTION 12 of the bill, in amended Section 63.0101, Election Code (page 8, line 7), strike "photo".

(2) In SECTION 12 of the bill, in amended Section 63.0101, Election Code (page 8, line 20), strike "or".

(3) In SECTION 12 of the bill, in amended Section 63.0101, Election Code (page 8, line 22), following "expired", insert the following:
; or

(5) a voter's voter registration certificate containing the voter's photograph

(4) Add the following appropriately numbered SECTION to the bill and renumber the remaining SECTIONS of the bill accordingly:

SECTION _____. Subchapter A, Chapter 15, Election Code, is amended by adding Section 15.0025 to read as follows:

Sec. 15.0025. PHOTOGRAPH ON CERTIFICATE. The commissioners court of a county may authorize the county elections administrator or the county clerk, as applicable, to issue voter registration certificates that include a photograph of the voter and that may be used as proof of a voter's identification under Chapter 63.

The amendment to **SB 14** was read.

On motion of Senator Fraser, Floor Amendment No. 24 was tabled by the following vote: Yeas 19, Nays 11.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Rodriguez, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

Senator Gallegos offered the following amendment to the bill:

Floor Amendment No. 25

Amend **SB 14** by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter A, Chapter 411, Government Code, is amended by adding Section 411.0086 to read as follows:

Sec. 411.0086. LOCATION OF DRIVER'S LICENSE FACILITIES. (a) The department must ensure that one driver's license facility is established for every 50 voting precincts in an area.

(b) Driver's license facilities must be located by an equal distribution throughout an area based on voting age population.

The amendment to **SB 14** was read.

On motion of Senator Fraser, Floor Amendment No. 25 was tabled by the following vote: Yeas 19, Nays 11.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Rodriguez, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

Senator Gallegos offered the following amendment to the bill:

Floor Amendment No. 26

Amend **SB 14** by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter A, Chapter 411, Government Code, is amended by adding Section 411.0086 to read as follows:

Sec. 411.0086. DRIVER'S LICENSE FACILITIES IN CERTAIN COUNTIES. The department must locate a driver's license facility established after January 1, 2012, not further than five miles from a location accessible by public transportation, if the facility is located in a county where public transportation is available.

The amendment to **SB 14** was read.

On motion of Senator Fraser, Floor Amendment No. 26 was tabled by the following vote: Yeas 19, Nays 11.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Rodriguez, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

Senator Lucio offered the following amendment to the bill:

Floor Amendment No. 27

Amend **SB 14** by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 2.009(c), Family Code, is amended to read as follows:

(c) On the proper execution of the application, the clerk shall:

- (1) prepare the license;
- (2) enter on the license the names of the licensees, the date that the license is issued, and, if applicable, the name of the person appointed to act as proxy for an absent applicant, if any;
- (3) record the time at which the license was issued;
- (4) distribute to each applicant printed materials about acquired immune deficiency syndrome (AIDS) and human immunodeficiency virus (HIV) and note on the license that the distribution was made; ~~and~~
- (5) distribute to each applicant a premarital education handbook provided by the attorney general under Section 2.014; and

(6) distribute to each applicant a notice stating that if an applicant changes the applicant's name after marriage, the applicant must update the applicant's voter registration information and applicable government-issued personal identification documents, including any driver's license, or risk being denied the opportunity to cast a ballot.

LUCIO
ELLIS

The amendment to **SB 14** was read.

On motion of Senator Fraser, Floor Amendment No. 27 was tabled by the following vote: Yeas 19, Nays 11.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Rodriguez, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

Senator Ellis offered the following amendment to the bill:

Floor Amendment No. 28

Amend **SB 14** by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Chapter 62, Election Code, is amended by adding Section 62.0015 to read as follows:

Sec. 62.0015. VOTER REGISTRARS MUST BE PRESENT. Two voter registrars must be present at each polling place while the polls are open.

SECTION _____. Chapter 63, Election Code, is amended by adding Section 63.010 to read as follows:

Sec. 63.010. REGISTRATION AT POLLING PLACE; VOTING PROCEDURES. (a) Other applicable provisions of this code apply to the conduct of voting and to the registration of voters under this section to the extent those provisions do not conflict with this section.

(b) A person who would be eligible to vote in an election under Section 11.001, but for the requirement to be a registered voter, shall be accepted for voting in the precinct of the person's residence if, on the day the person offers to vote, the person:

(1) submits a voter registration application that complies with Section 13.002 to a voter registrar at the polling place; and

(2) presents as proof of identification and residence a document described by Section 63.0101 that contains the voter's current name and address.

(c) Persons voting under this section shall be processed separately at the polling place from persons who are voting under regular procedures.

(d) The secretary of state shall adopt rules to ensure the accountability of election officers and to fairly implement this section.

SECTION _____. The secretary of state shall adopt rules as required by Section 63.010, Election Code, as added by this Act, not later than February 1, 2012.

ELLIS
LUCIO
RODRIGUEZ

The amendment to **SB 14** was read.

On motion of Senator Fraser, Floor Amendment No. 28 was tabled by the following vote: Yeas 20, Nays 10.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Wentworth, Williams, Zaffirini.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Rodriguez, Van de Putte, Watson, West, Whitmire.

Absent-excused: Uresti.

Senator Gallegos offered the following amendment to the bill:

Floor Amendment No. 29

Amend **SB 14** by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter A, Chapter 521, Transportation Code, is amended by adding Section 521.007 to read as follows:

Sec. 521.007. DEPARTMENT OPERATING HOURS. To ensure access by the public to identification required under Section 63.001, Election Code, the department shall maintain fully staffed operating hours in each office authorized to issue driver's licenses or personal identification certificates:

- (1) until 7 p.m. or later on at least one weekday each week; and
- (2) during four or more hours on at least two Saturdays each month.

The amendment to **SB 14** was read.

On motion of Senator Fraser, Floor Amendment No. 29 was tabled by the following vote: Yeas 19, Nays 11.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Rodriguez, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

Senator Ellis offered the following amendment to the bill:

Floor Amendment No. 30

Amend **SB 14** by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Chapter 63, Election Code, is amended by adding Section 63.014 to read as follows:

Sec. 63.014. SECRETARY OF STATE REPORT. (a) The secretary of state shall produce an annual report showing:

(1) the number of residents eligible to vote in this state who have the documentation required under Section 63.0101, and the percentage of all state residents eligible to vote represented by that number;

(2) the number of residents eligible to vote in this state who do not have the documentation required under Section 63.0101, and the percentage of all state residents eligible to vote represented by that number;

(3) the number of residents eligible to vote in this state who have the documentation required under Section 63.0101 but who fail to comply with statutory requirements only because the address on the documentation is not current, the last name on the documentation does not match the current voter list because of a legal name change, or the documentation presented is expired, and the percentage of all state residents eligible to vote represented by that number;

(4) the average time, by voting precinct, that a person must wait to obtain a document described by Section 63.0101(1) at the nearest Department of Public Safety licensing facilities that provide those documents;

(5) the number of eligible voters who were prevented from voting as a result of the enhanced identification requirements for being accepted to vote adopted by the 82nd Legislature;

(6) the number of eligible voters who were required to file provisional ballots as a result of the enhanced identification requirements for being accepted to vote; and

(7) an analysis, by subgroup, of whether the enhanced identification requirements for being accepted to vote produce a disparate impact on women, the elderly, persons with disabilities, students, or racial and ethnic minorities.

(b) The report produced under this section is a public record.

(c) The secretary of state may adopt rules to implement this section, including rules requiring other state agencies and authorities holding elections to record information relevant to the report required by this section.

ELLIS
RODRIGUEZ
URESTI

The amendment to **SB 14** was read.

On motion of Senator Fraser, Floor Amendment No. 30 was tabled by the following vote: Yeas 19, Nays 11.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Rodriguez, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

Senator Van de Putte offered the following amendment to the bill:

Floor Amendment No. 31

Amend **SB 14** by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. The changes in law made by this Act do not take effect unless:

(1) the comptroller determines that the legislature has appropriated the amount of money to the appropriate entities that is necessary to fully fund the implementation of this Act; and

(2) the secretary of state certifies that the secretary of state and each county have complied with the changes in law made by this Act or have developed the training and information required by this Act and have prepared to implement the changes in law made by this Act, as applicable.

The amendment to **SB 14** was read.

On motion of Senator Fraser, Floor Amendment No. 31 was tabled by the following vote: Yeas 19, Nays 11.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Rodriguez, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

Senator Watson offered the following amendment to the bill:

Floor Amendment No. 32

Amend **SB 14** by adding the following appropriately numbered SECTION to the bill and renumber subsequent SECTIONS accordingly:

SECTION _____. This Act does not make an appropriation. This Act takes effect only if a specific appropriation for the implementation of the Act is provided in a general appropriations act of the 82nd Legislature.

WATSON
RODRIGUEZ

The amendment to **SB 14** was read and was adopted by the following vote: Yeas 30, Nays 0.

Absent-excused: Uresti.

Senator West offered the following amendment to the bill:

Floor Amendment No. 33

Amend **SB 14** as follows:

(1) In SECTION 23 of the bill, page 12, line 18, strike "Subsection (b)" and substitute "Subsections (b) and (c)".

(2) In SECTION 23 of the bill, page 12. add Subsection (c), to read as follows:

"(c) If after the passage of the General Appropriation Act, 82nd Legislature, the funding provided to school districts through the Foundation School Program or direct distribution to the districts is not sufficient to maintain the current pay distribution per teacher and to maintain an equal number of teachers in the districts, this bill has no effect."

The amendment to **SB 14** was read.

On motion of Senator Fraser, Floor Amendment No. 33 was tabled by the following vote: Yeas 19, Nays 11.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Rodriguez, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

Senator West offered the following amendment to the bill:

Floor Amendment No. 34

Amend **SB 14** (filed version) as follows:

(1) In SECTION 23 of the bill, page 12, line 18, strike "Subsection (b)" and substitute "Subsections (b) and (c)".

(2) In SECTION 23 of the bill, page 12, add Subsection (c), to read as follows:

"(c) This Act takes effect only if the legislature appropriates or otherwise provides sufficient funds to defray the costs associated with the duties and activities imposed on counties under the Act. No county funds derived from local revenue may be expended to implement this Act."

The amendment to **SB 14** was read.

On motion of Senator Fraser, Floor Amendment No. 34 was tabled by the following vote: Yeas 19, Nays 11.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Rodriguez, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

Senator Patrick offered the following amendment to the bill:

Floor Amendment No. 35

Amend **SB 14** (senate committee printing) as follows:

(1) Add the following appropriately numbered SECTIONS to the bill and renumber the remaining SECTIONS of the bill accordingly:

SECTION _____. Section 13.002, Election Code, is amended by adding Subsection (i) to read as follows:

(i) An applicant who wishes to receive an exemption on the basis of disability from the requirements of Section 63.001(b) must include a certification from a physician that the person has a disability as defined by Section 21.002, Labor Code, with the person's application.

SECTION _____. Section 15.001, Election Code, is amended by adding Subsection (c) to read as follows:

(c) A certificate issued to a voter who meets the certification requirements of Section 13.002(i) must contain an indication that the voter is exempt from the requirement to present identification other than the registration certificate before being accepted for voting.

(2) In SECTION 7 of the bill, strike added Section 63.001(h) (page 2, lines 51 through 57) and substitute the following:

(h) The requirements for identification prescribed by Subsection (b) do not apply to a voter who presents the voter's voter registration certificate on offering to vote and:

(1) was 70 years of age or older on January 1, 2012, as indicated by the date of birth on the voter's voter registration certificate; or

(2) is disabled and the voter's voter registration certificate contains the indication described by Section 15.001(c).

The amendment to **SB 14** was read and was adopted by the following vote: Yeas 30, Nays 0.

Absent-excused: Uresti.

Senator Davis offered the following amendment to the bill:

Floor Amendment No. 36

Amend **SB 14** as follows:

(1) Add the following appropriately numbered SECTIONS to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. Effective September 1, 2011, Chapter 82, Election Code, is amended by adding Section 82.006 to read as follows:

Sec. 82.006. PERMANENT MAIL VOTER STATUS. (a) A qualified voter is eligible for permanent mail voter status if:

(1) the voter is disabled, as defined by secretary of state rule under Subsection (c); and

(2) the voter's name is not on the suspense list.

(b) A voter having permanent mail voter status is entitled to receive a ballot to be voted by mail for every election other than a primary election.

(c) The secretary of state shall by rule define "disabled" for purposes of determining eligibility for permanent mail voter status.

SECTION ____. Effective September 1, 2011, Chapter 84, Election Code, is amended by adding Subchapter C to read as follows:

SUBCHAPTER C. APPLICATION FOR PERMANENT MAIL VOTER STATUS

Sec. 84.101. METHOD OF APPLICATION. (a) A qualified voter seeking permanent mail voter status may apply for the status at the time the voter registers to vote or at a polling place on election day or during early voting by personal appearance.

(b) The secretary of state shall adopt rules and forms to implement this section.

Sec. 84.102. SUBMITTING APPLICATION. An application indicating that the voter seeks to acquire permanent mail voter status is considered submitted for the first election following the date the application is submitted. A voter may not attain permanent mail voter status for that election unless the voter timely submits the application to a voter registrar within the time provided by Subchapter A.

Sec. 84.103. ACTION BY VOTER REGISTRAR. (a) If a qualified voter eligible for permanent mail voter status submits an application under Section 84.101 stating a valid ground of eligibility, the voter registrar receiving the application shall:

(1) place the voter's name on a list of permanent mail voters; and

(2) notify the early voting clerks serving every authority that orders elections in the registrar's jurisdiction of the voter's permanent mail voter status.

(b) If the early voting clerk serving an authority receives notice under Subsection (a)(2), the early voting clerk and the clerk's successors shall provide a ballot to be voted by mail to the voter as required by this code for each general and special election ordered by the authority.

(c) An early voting clerk may not provide a ballot under Subsection (b) to a voter whose name appears on the suspense list.

Sec. 84.104. CANCELLATION. (a) A voter having permanent mail voter status may cancel an application for a ballot to be voted by mail at any time. The cancellation is effective for an election for which the voter timely cancels the application as provided by Section 84.032 and all subsequent elections. A voter who has canceled the voter's application under this subsection may apply for permanent mail voter status for a subsequent election.

(b) Following cancellation under Subsection (a), the applicable early voting clerk shall notify the early voting clerks serving every authority that orders elections in the clerk's jurisdiction of the cancellation.

Sec. 84.105. ADDITIONAL PROCEDURES. The secretary of state shall:

(1) prescribe any additional procedures necessary to implement this subchapter; and

(2) develop a system of notifying voters who are likely to be eligible for permanent mail voter status of the availability of that status for certain voters and the application procedure for acquiring that status.

SECTION ____. (a) Effective September 1, 2011, the secretary of state shall prescribe any procedures and develop a notification system under Section 84.105, Election Code, as added by this Act, but not later than January 1, 2012.

(b) The changes in law made by Section 82.006 and Subchapter C, Chapter 84, Election Code, as added by this Act, apply only to an election for which an application for a ballot to be voted by mail may not be submitted before January 1, 2012.

(2) In SECTION 23(a) of the bill (page 12, line 19), between "section" and the comma, insert "or as otherwise provided by this Act".

The amendment to **SB 14** was read.

On motion of Senator Fraser, Floor Amendment No. 36 was tabled by the following vote: Yeas 19, Nays 11.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Rodriguez, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

Senator Davis offered the following amendment to the bill:

Floor Amendment No. 37

Amend **SB 14** by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter A, Chapter 31, Election Code, is amended by adding Section 31.015 to read as follows:

Sec. 31.015. UNIFORM STATEWIDE VOTER REGISTRATION SYSTEM. The secretary of state shall establish a uniform statewide voter registration system to improve voter participation. The system must:

- (1) include expanded voter registration outreach;
- (2) establish more voter registration offices, especially in areas where the distance between offices is determined to be prohibitive;
- (3) include statewide outreach to inform the voting age population of registration status, registration locations, and locations of precinct polling places;
- (4) allow voters to verify and make corrections to their voter registration not less than 30 days before the date of an election;
- (5) use voter assistance hotlines and websites that are operational at least 30 days before the date of an election; and
- (6) establish ombudsmen at the state level to address cases of voter suppression, voter discrimination, or other abuse against voters.

The amendment to **SB 14** was read.

On motion of Senator Fraser, Floor Amendment No. 37 was tabled by the following vote: Yeas 19, Nays 11.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Rodriguez, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

Senator Davis offered the following amendment to the bill:

Floor Amendment No. 38

Amend **SB 14** by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 16.036(a), Election Code, is amended to read as follows:

(a) Immediately after, but not later than the 30th day after the date a voter's registration is canceled under Section 16.031 [~~16.031(a)(3)~~], 16.032, 16.033, 16.0331, or 16.0332, the registrar shall deliver written notice of the cancellation to the voter.

The amendment to **SB 14** was read.

On motion of Senator Fraser, Floor Amendment No. 38 was tabled by the following vote: Yeas 19, Nays 11.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Rodriguez, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

Senator Davis offered the following amendment to the bill:

Floor Amendment No. 39

Amend **SB 14** as follows:

(1) In SECTION 7 of the bill, add following language to the end of Section 63.001(h)(2), Election Code:

;, or;

(2) In SECTION 7 of the bill, add new subsection (3) to Section 63.001(h), Election Code to read as follows:

(3) who is indigent and is unable to obtain proof of identification without the payment of a fee.

(a) "indigent" in this subsection has the meaning assigned by Section 51.941(e), Government Code.

(b) the voter in this subsection shall be provided a provision ballot as provided under Section 63.011.

(3) Strike SECTION 16 of the bill and add new SECTION 16 as follows:

Sec. 65.0541. PRESENTATION OF IDENTIFICATION FOR CERTAIN PROVISIONAL BALLOTS. (a) A voter who is accepted for provisional voting under Section 63.011 because the voter does not meet the identification requirements of Section 63.001(b) may, not later than the sixth day after the date of the election,

(1) present proof of identification to the voter registrar for examination by the early voting ballot board; or,

(2) per Section 63.001(h)(3), Election Code execute an affidavit before the voter registrar affirming under penalties of perjury that the voter is indigent

(b) The secretary of state shall prescribe procedures as necessary to implement this section.

The amendment to **SB 14** was read.

Senator Davis withdrew Floor Amendment No. 39.

Senator Duncan offered the following amendment to the bill:

Floor Amendment No. 40

Amend **SB 14** by striking SECTIONS 15 and 16 of the bill (filed version, page 9, line 26, through page 10, line 17) and substituting the following:

SECTION 15. Section 65.054, Election Code, is amended by amending Subsection (b) and adding Subsection (e) to read as follows:

(b) A provisional ballot shall ~~may~~ be accepted ~~only~~ if the board determines that:

(1) ~~is~~ from the information in the affidavit or contained in public records, the person is eligible to vote in the election and has not previously voted in that election; and

(2) the person:

(A) meets the identification requirements of Section 63.001(b) in the period prescribed under Section 65.0541; or

(B) executes an affidavit under penalty of perjury stating that:

(i) the voter:

(1) is indigent and is unable to obtain proof of identification without the payment of a fee; or

(2) has a religious objection to being photographed; and

(ii) has not been challenged or required to vote a provisional ballot for any other reason.

(e) In this section, "indigent" has the meaning assigned by Section 51.941(e), Government Code.

SECTION 16. Subchapter B, Chapter 65, Election Code, is amended by adding Section 65.0541 to read as follows:

Sec. 65.0541. PRESENTATION OF IDENTIFICATION FOR CERTAIN PROVISIONAL BALLOTS. (a) A voter who is accepted for provisional voting under Section 63.011 because the voter does not meet the identification requirements of Section 63.001(b) may, not later than the sixth day after the date of the election:

(1) present proof of identification described by Section 63.0101 to the voter registrar for examination; or

(2) execute an affidavit described by Section 65.054(b)(2)(B) in the presence of the voter registrar.

(b) The secretary of state shall prescribe procedures as necessary to implement this section.

DUNCAN
DAVIS
OGDEN
PATRICK

The amendment to **SB 14** was read and was adopted by the following vote: Yeas 30, Nays 0.

Absent-excused: Uresti.

Senator Davis again offered the following amendment to the bill:

Floor Amendment No. 11

Amend **SB 14** as follows:

(1) In SECTION 7 of the bill, in the introductory language (page 3, line 23), strike "(g) and (h)" and substitute "(g), (h), and (i)".

(2) In SECTION 7 of the bill, following added Section 63.001(h), Election Code (page 5, between lines 10 and 11), insert the following:

(i) A voter whose name as listed on the identification prescribed by Subsection (b) does not match the name on the precinct list of registered voters shall still be accepted for voting if the voter is a woman and:

(1) presents a marriage license or divorce decree that lists a name that matches the name on the precinct list of registered voters; or

(2) executes an affidavit stating the voter's name is the name on the precinct list of registered voters but has been changed due to marriage or divorce.

DAVIS

ELLIS

The amendment to **SB 14** was again read.

On motion of Senator Fraser, Floor Amendment No. 11 was tabled by the following vote: Yeas 18, Nays 12.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Ogden, Rodriguez, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

Senator Davis again offered the following amendment to the bill:

Floor Amendment No. 15

Amend **SB 14** by striking SECTION 12 of the bill and substitute with new SECTION 12 as follows:

SECTION 12. Section 63.0101, Election Code, is amended to read as follows:

Sec. 63.0101. DOCUMENTATION OF PROOF OF IDENTIFICATION. The following documentation is an acceptable form ~~[as proof]~~ of photo identification under this chapter:

(1) a driver's license or personal identification card issued to the person by the Department of Public Safety that has not ~~[or a similar document issued to the person by an agency of another state, regardless of whether the license or card has] expired or has expired after the date of the most recent general election;~~

(2) a United States military identification card that contains the person's photograph that has not expired or has expired after the date of the most recent general election ~~[form of identification containing the person's photograph that establishes the person's identity];~~

(3) a ~~[birth certificate or other document confirming birth that is admissible in a court of law and establishes the person's identity;~~

~~[(4)]~~ United States citizenship certificate ~~[papers]~~ issued to the person that contains the person's photograph; or

~~(4) [(5)]~~ a United States passport issued to the person that has not expired or has expired after the date of the most recent general election[;

~~[(6) official mail addressed to the person by name from a governmental entity;~~

~~[(7) a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter; or~~

~~[(8) any other form of identification prescribed by the secretary of state].~~

The amendment to **SB 14** was again read.

On motion of Senator Fraser, Floor Amendment No. 15 was tabled by the following vote: Yeas 19, Nays 11.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Wentworth, Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Rodriguez, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

Senator Davis offered the following amendment to the bill:

Floor Amendment No. 41

Amend **SB 14** in SECTION 7 of the bill, in amended Section 63.001(c), Election Code (page 4, line 6), by adding after the period "If in determining whether a voter's name is on the list of registered voters the election officer determines that the voter's name on the documentation is substantially similar but does not match exactly the name on the list, the voter shall be accepted for voting as otherwise required by this section if the voter submits an affidavit stating that the voter is the person on the list of registered voters."

The amendment to **SB 14** was read and was adopted by the following vote: Yeas 30, Nays 0.

Absent-excused: Uresti.

On motion of Senator Fraser and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

Question — Shall **SB 14** as amended be passed to engrossment?

AT EASE

The President at 7:28 p.m. announced the Senate would stand At Ease until 7:45 p.m.

IN LEGISLATIVE SESSION

The President at 7:57 p.m. called the Senate to order as In Legislative Session.

Question — Shall **SB 14** as amended be passed to engrossment?

SB 14 as amended was passed to engrossment by the following vote: Yeas 19,
Nays 11.

Yeas: Birdwell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Harris, Hegar,
Huffman, Jackson, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Wentworth,
Williams.

Nays: Davis, Ellis, Gallegos, Hinojosa, Lucio, Rodriguez, Van de Putte, Watson,
West, Whitmire, Zaffirini.

Absent-excused: Uresti.

CO-AUTHOR OF SENATE BILL 272

On motion of Senator Zaffirini, Senator Hinojosa will be shown as Co-author of
SB 272.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolutions

SR 93 by Watson, In memory of Spencer Lloyd Reid.

SR 103 by Ellis, In memory of Howard Daniel Boone of Austin.

SR 112 by Lucio, In memory of Luis Romero of Los Fresnos.

SR 113 by Lucio, In memory of David Saenz of Brownsville.

SR 114 by Rodriguez, In memory of John Baylor Van Vranken McKinney.

SR 115 by Rodriguez, In memory of Artemisa "Arte" Salinas of El Paso.

SR 120 by Wentworth, In memory of Dorothy Paula Levy Katz.

SR 121 by Wentworth, In memory of Geraldine "Jerry" Traugott of San Antonio.

SR 122 by Wentworth, In memory of Carol Baier Jansen of San Antonio.

SR 123 by Wentworth, In memory of Ladimer Gene Herold of San Antonio.

SR 124 by Wentworth, In memory of Marvin Selig of Seguin and San Antonio.

Congratulatory Resolutions

SR 92 by Watson, Recognizing Nancy McClintock on the occasion of her retirement
from the City of Austin.

SR 94 by Watson, Recognizing Joe Gieselman on the occasion of his retirement from
the Travis County Transportation and Natural Resources department.

SR 95 by Watson, Recognizing Ira Iscoe of Austin on the occasion of his 90th birthday.

SR 96 by Watson, Recognizing Pat Murphy on the occasion of his retirement from the City of Austin.

SR 97 by Watson, Recognizing Forrest Nikorak on the occasion of his retirement from the City of Austin.

SR 98 by Birdwell, Recognizing Timothy Karcher for his contributions to his country.

SR 100 by West, Recognizing James Lawson for his work in the pursuit of peace and equal rights for all people.

SR 101 by West, Recognizing the Ingram family on the occasion of their 30th annual family reunion.

SR 102 by Deuell, Congratulating Celeste Prather-Young on receiving the 2010 Executive Director of the Year Award by Texas Court Appointed Special Advocates.

SR 107 by Whitmire, Recognizing Green Chapel African Methodist Episcopal Church on the occasion of its 100th anniversary.

SR 108 by Whitmire, Recognizing the Greenspoint Area Chapter of the International Association of Administrative Professionals on the occasion of their 59th annual meeting of the Texas-Louisiana Division.

SR 109 by Van de Putte, Recognizing Harmony Science Academy on the occasion of its 10th anniversary.

SR 116 by Rodriguez, Recognizing Jose F. Cardenas for his contributions to the profession of engineering.

Official Designation Resolutions

SR 104 by Birdwell, Harris, and Watson, Celebrating February 1, 2011, as Baylor University Day at the State Capitol.

SR 117 by Estes, Celebrating February 15, 2011, as Grayson County Day at the State Capitol.

SR 118 by Hinojosa and Lucio, Celebrating January 27, 2011, as The University of Texas–Pan American Day at the State Capitol.

ADJOURNMENT

On motion of Senator Whitmire, the Senate at 8:44 p.m. adjourned, in memory of Joe Limon Avila, John Paul Duncan, and Wesley J. Rice, until 8:45 p.m. today.

APPENDIX

COMMITTEE REPORT

The following committee report was received by the Secretary of the Senate:

January 25, 2011

COMMITTEE OF THE WHOLE SENATE — **SB 14**

RESOLUTIONS ENROLLED

January 25, 2011

**SR 34, SR 48, SR 52, SR 55, SR 60, SR 72, SR 81, SR 82, SR 83, SR 84, SR 85,
SR 86, SR 87, SR 88, SR 89, SR 91**

**In Memory
of
James Paul Duncan
Senate Resolution 56**

WHEREAS, The Senate of the State of Texas honors and commemorates the life of Dr. James Paul Duncan, who died June 9, 2009, at the age of 72; and

WHEREAS, James Paul Duncan was born January 19, 1937; he attended the University of Indiana, where he earned bachelor's and master's degrees in sociology and a doctorate in higher education administration; following his service as an officer in the United States Army, he began a long and distinguished career as an educator, counselor, and administrator; and

WHEREAS, Dr. Duncan joined the faculty of The University of Texas at Austin in 1970 as dean of students and associate professor in the Department of Educational Administration; he held numerous positions of leadership at the university, including vice president for student affairs and executive vice chancellor for academic affairs, a position he held for 14 years; and

WHEREAS, After retiring from administrative duties in 1997, he returned to teaching and was designated the Ashbel Smith Professor of Educational Administration; Dr. Duncan was noted for his ability to touch the lives of his students, often going out of his way to work with them and help them complete their degrees; and

WHEREAS, He also played a vital role in the creation of one of the nation's first comprehensive counseling centers for students at a major university; he was also part of a group that worked to expand The University of Texas System to South Texas with The University of Texas at Brownsville; he helped to guide the university through a turbulent political environment, and university leaders regularly sought his advice and counsel; and

WHEREAS, A man of vision, strength, and courage, he gave generously to others, and his dedication both to his students and to the betterment of the educational system of our state set an enduring example for all; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 82nd Legislature, hereby extend sincere condolences to the family and friends of Dr. James Paul Duncan; and, be it further

RESOLVED, That a copy of this Resolution be prepared for his family as an expression of deepest sympathy from the Texas Senate, and that when the Senate adjourns this day, it do so in memory of Dr. James Paul Duncan.

WATSON

TX_00002761
JA_001269

TX_00002761

TEXAS SENATE STAFF SERVICES
RM:jgh/337/FLSB14012611CD1SL/031912
82ND LEGISLATIVE SESSION
EXCERPT: SENATE BILL 14
JANUARY 26, 2011
COMPACT DISC 1, SECTION I

Texas Senate
Staff Services

1

(Lieutenant Governor Dewhurst, Presiding)

PRESIDENT : Chair recognizes Senator Fraser for a motion.

FRASER : Mr. President, I would now move to suspend all necessary rules to take up and consider Senate Bill 14 at this time.

PRESIDENT : (Inaudible, background conversation)
: The Chair recognizes Senator Van de Putte on the motion.

VAN DE PUTTE : Thank you, Mr. President and thank you, Senator Fraser. And, Senator Fraser, we had extensive discussion on this bill last evening and during the day, and I wanna thank you and the Members of the entire Senate for th--the debate from yesterday. But, I'd like to be able to read this statement, in light of your motion.

PRESIDENT : Senator Fraser, Senator Van de Putte would like to read a statement, is that all right with you?

FRASER : Please, read the statement.

VAN DE PUTTE : Thank you, Mr. Ch--Chairman, and thank you, Mr. President. The Senate Democrats, including those who represent districts in which minority voters are electing candidates of their choice, and who also speak on behalf of minority voters in this State, have made clear their unanimous opposition to the voter ID legislation, that opposition remains. And no matter the specific time of passage of this bill, the outcome is inevitable and our opposition remains firm. In the interest of continuing debate on the legislation during appropriate hours, however, and to avoid late night debate, which the public would find more difficult to observe, we will not oppose a vote to suspend the 24-hour layout requirement. Debate on this legislation was in the Committee of the Whole consisting of all 31 Members of the Senate. Thus, we see little compelling need for such layout requirement, which typically exists to give those Senators, not on the relevant committee, opportunity to review legislation. All 31 Senators have had ample opportunity to review the bill, which is the purpose of having a layout requirement. Thank you, Mr. Chairman.

PRESIDENT : Thank you, Senator Van de Putte.

: (Background noise)

PRESIDENT : Senator West, for what purpose do you rise, Sir?

WEST : Mr. Ch--Mr. President, at the appropriate time, I'd like to have the comments by Senator Van de Putte spread on the record.

: (Inaudible, background conversation)

FRASER : (You're okay.)

DUNCAN : No, I'm really not, (inaudible, not speaking into the microphone)--

JA_001270

TX_00203372

TEXAS SENATE STAFF SERVICES
 RM:jgh/337/FLSB14012611CD1SI/031912
 82ND LEGISLATIVE SESSION
 EXCERPT: SENATE BILL 14
 JANUARY 26, 2011
 COMPACT DISC 1, SECTION I

Texas Senate
 Staff Services

2

PRESIDENT : Members--
 DUNCAN : --that they (inaudible, overlapping conversation)--
 PRESIDENT : --Senator West moves to include the remarks by Senator Van de Putte in the record. Is there objection from any Member? Senator Duncan.
 DUNCAN : --I, I had a question of Senator Van de Putte, if I could, on the statement.
 PRESIDENT : All right, will Senator Van de Putte yield--
 VAN DE PUTTE : I yield.
 DUNCAN : I, I appreciate the fact that we're workin' together to try to move this bill and we've talked and worked a lot, but the only thing in your statement that I might have exception to is the fact that all Members of this Senate represent minority voters. And, I wanna make clear that, tha--that, that is a statement of--of this whole body and not just of one political party or another. So, with that understanding, I will go ahead and pru--and--
 FRASER : Would you like your comments (inaudible, not speaking into the microphone)--
 DUNCAN : --not, not have an objection. And, I'd like my comments put in the record, if we could.
 WHITMIRE : Mr. President.
 PRESIDENT : If I may, Senator West, in case, because I see that Senator Zaffirini would like to speak and Senator Whitmire would like to speak (inaudible, overlapping conversation)--
 WEST : I, I withdraw the motion.
 PRESIDENT : --withdraw, and th--then we'll come back to you at the, all right.
 PRESIDENT : (Inaudible, background conversation)
 PRESIDENT : All right, we--
 PRESIDENT : (Inaudible, background conversation)
 PRESIDENT : --Senator Zaffirini, for what purpose do you rise?
 ZAFFIRINI : For a parliamentary inquiry.
 PRESIDENT : State your inquiry.
 ZAFFIRINI : Thank you, Mr. President. I'd like to clarify what the motion before us is, because when Senator Fraser rode (sic), I believe he, when he rose, he made a motion to suspend all necessary rules to take up and consider, at this time, Senate Bill 14. And that was what was on the marquee, but now what we see up there is a motion in writing. I don't have a motion in writing on my desk. I don't know if other Senator's do, so I'm not sure what motion is actually before us. If it is the motion that is related to Senator Van de Putte's statement, I understand it, but I don't have it, and I'm confused because of the motion Senator Fraser made.

TEXAS SENATE STAFF SERVICES
 RM:jgh/337/FLSB14012611CD1SL/031912
 82ND LEGISLATIVE SESSION
 EXCERPT: SENATE BILL 14
 JANUARY 26, 2011
 COMPACT DISC 1, SECTION I

Texas Senate
 Staff Services

3

: We, we have it in writing and it is the motion that he stated. We can have the Secretary read it.

PRESIDENT : I'm going to, the--the Chair lays out the motion in writing for the Secretary to read. Madam Secretary, if, if you would read this. It's the same motion which Senator, but that's a very good question.

SECRETARY : Mr. President, I move to suspend all necessary rules to take up and consider Senate Bill 14, at this time, by Fraser.

ZAFFIRINI : So, are we moving to suspend the rules to bring up the bill, or simply to postpone the 24-hour layout rule?

: To bring the bill up (inaudible, background conversation)--

FRASER : Mr. President.

PRESIDENT : T--To bring the bill up now.

: Hell (inaudible, background conversation)--

PRESIDENT : Senator Fraser.

FRASER : And I believe we--the, the will (sic), the, the bill, the, the rule that we're suspending, I, I believe is addressing the layout rule.

: (Inaudible, background conversation)
 ZAFFIRINI : So, what I want to make sure is that everybody understands what we're voting for.

PRESIDENT : I understand.

ZAFFIRINI : All right.

PRESIDENT : Thank you.

ZAFFIRINI : Thank you, Mr. President.

PRESIDENT : Thank you, Senator Zaffirini. Senator Whitmire.

WHITMIRE : I was going to ask a question of Senator Duncan, if he has the Floor?

PRESIDENT : All right, I'll considers (sic) that Senator Duncan has the Floor. Will Senator Duncan yield to Senator Whitmire?

DUNCAN : I'll yield to Senator--

WHITMIRE : Senator Duncan--

DUNCAN : --Whitmire.

WHITMIRE : --I wanna clarify in your comments to Senator Van de Putte before you posed the question, really a comment. You said that you felt like all Members on the Floor were attempting to move the bill forward.

DUNCAN : That's correct.

WHITMIRE : Okay, well, I wanna strongly disagree with you, that that's not the position of the opposition. We're not voting for

TEXAS SENATE STAFF SERVICES
 RM:jgh/337/FLSB14012611CD1SL/031912
 82ND LEGISLATIVE SESSION
 EXCERPT: SENATE BILL 14
 JANUARY 26, 2011
 COMPACT DISC 1, SECTION I

Texas Senate
 Staff Services

4

this rule, or this motion because we're tryin' to move this bill forward--

DUNCAN : I under--

WHITMIRE : --we're tryin' to move the process forward and the only, and the distinction is we'll do it at 9:20 tonight, or at 3:00 o'clock this afternoon, but we're gonna do everything we can to stop this bill--

DUNCAN : --I understand that--

WHITMIRE : --but we--

DUNCAN : --but--

WHITMIRE : --wanna have the discussion in the middle of the afternoon versus the middle of the morning.

DUNCAN : --that--

WHITMIRE : I--

DUNCAN : --wasn't my, that--

WHITMIRE : --I know--

DUNCAN : --that really--

WHITMIRE : --I--

DUNCAN : --(wadn't) (sic) what I intended to say.

WHITMIRE : --you understand.

DUNCAN : I just, I was intending to, I--I was objecting to the statement to the ex--

WHITMIRE : And I--

DUNCAN : --tent--

WHITMIRE : --respect that.

DUNCAN : --it said that, you know, that it implied

that not all Members of this body represent minority interest. That was my objection and that's what I wanted in the record.

WHITMIRE : Certainly, and I think you have a right to make that record, and I heard your feelings, but I could not allow your comment that we're all, 31 of us, attempting to move this bill forward, on the record, without making it very clear that that's n--not the way we feel towards voting for this motion, which allow us to bring it up immediately. We're very much opposed to the bill, which you will get to witness in a moment. But we do think it good judgment to go forward at this point, versus going into the mid-part of the next morning.

DUNCAN : I--I think we can all agree on that and I think--

: (Inaudible, background conversation)

DUNCAN : --we understand that. I had only one objection to the statement and I wa---made that objection.

PRESIDENT : The Chair recognizes Senator West, (inaudible) motion.

WEST : I move, Mr. President, that the comments from Senator Van de Putte be spread upon the record.

: (Inaudible, background conversation)

TEXAS SENATE STAFF SERVICES
 RM:jgh/337/FLSB14012611CD1SI/031912
 82ND LEGISLATIVE SESSION
 EXCERPT: SENATE BILL 14
 JANUARY 26, 2011
 COMPACT DISC 1, SECTION I

Texas Senate
 Staff Services

5

PRESIDENT : Does that, does that include all the
 comments made, those including Senator Duncan and Senator Whitmire?
 WEST : Senator Van de Putte.
 : (Inaudible, background conversation)
 PRESIDENT : All right. Members, you have a
 motion before us by Senator--
 : (Inaudible, background conversation)
 PRESIDENT : --Senator Duncan.
 WEST : (You wanna do an amended motion?)
 DUNCAN : I wanna amend the emotion (sic) and
 amend, amend the motion and also move that my remarks be, and Senator
 Whitmire's remarks be placed in the record as well.
 : (Inaudible, background conversation)
 WEST : And I, and I have no objections to
 Senator Duncan's amendment.
 : (Inaudible, background conversation)
 : (Substitute.)
 : You got some amendment.
 PRESIDENT : The--
 : (Inaudible, background conversation)
 PRESIDENT : --all right, Members, Senator Duncan
 has a substitute motion. We're gonna rule on that and go back to, and the
 motion is to include the comments by Senator Van de Putte, Senator Duncan,
 and Senator Whitmire, to reduce those to writing and include those in, in,
 in the, the Journal. And, that's an amendment to your motion. All right? Is
 there objection from any Member?
 : (Inaudible, background conversation)
 : No.
 : No objection.
 PRESIDENT : Is there objection from any Member?
 The Chair hears no objection and the amendment (gavel) is, e--and the
 motion is passed. Now, we have a amended motion in front of us by S--
 Senator West to include the comments--
 : (Laughter)
 : (Inaudible, background conversation)
 PRESIDENT : --by Senator Van de Putte, the
 remarks by Senator Van de Putte, by Senator Duncan and by Senator
 Whitmire in the record. Is there objection from any Member? Chair hears
 none, so ordered. (Gavel)
 : (Inaudible, background conversation)
 : (Laughter)
 VAN DE PUTTE : Mr. President.
 PRESIDENT : Senator Van de Putte.
 VAN DE PUTTE : Thank you. Parliamentary inquiry.
 The--

TEXAS SENATE STAFF SERVICES
 RM:jgh/337/FLSB14012611CD1SI/031912
 82ND LEGISLATIVE SESSION
 EXCERPT: SENATE BILL 14
 JANUARY 26, 2011
 COMPACT DISC 1, SECTION I

Texas Senate
 Staff Services

6

PRESIDENT : State your inquiry.
 VAN DE PUTTE : --motion, still, is the motion in writing
 and we have not received the motion in writing in our, at our desks, and it
 would be lovely t--ta (sic) have it.
 PRESIDENT : Senator Van de Putte, the motion's
 been, been stated by S--by Senator--
 : (Inaudible, background conversation)
 PRESIDENT : --by Senator Fraser. It's been read by
 the Secretary. Madam Secretary, would you read the motion in writing a
 second time.
 : (Inaudible, background conversation)
 SECRETARY : Mr. President, I move to suspend all
 necessary rules to take up and consider Senate Bill 14, at this time, by
 Fraser.
 PRESIDENT : Members, you have a motion in front
 of you.
 : Does she still want (inaudible,
 background conversation)--
 VAN DE PUTTE : Question, Mr., M--Mr. President, an--
 an inquiry.
 PRESIDENT : Senator Van de Putte.
 VAN DE PUTTE : In the phrasing of Senator Fraser's
 motion in writing, all necessary rules includes all necessary rules from now
 until the end, or just the 24-hour layout period? If it's such, there's a d--
 there's a difference, because our, we are very much i--in favor of having this
 debate six hours earlier so that the public can see. But, with all ne--all
 necessary rules, is that also for future votes on this bill?
 PRESIDENT : No. My understanding in, on advice
 from the Parliamentarian, it's the layout rule.
 VAN DE PUTTE : Thank you. The clarification is that
 the motion in writing--
 : (Inaudible, background conversation)
 VAN DE PUTTE : --is the layout rule--
 : (Inaudible, background conversation)
 VAN DE PUTTE : --for purpose of--
 : (Inaudible, background conversation)
 VAN DE PUTTE : --thank you for the clarification.
 PRESIDENT : 'Kay.
 : (Inaudible, background conversation)
 (motion).
 ZAFFIRINI : Mr.--
 PRESIDENT : We've a motion--
 ZAFFIRINI : --President.
 PRESIDENT : --in front of us. Senator Van de Putte,
 f--Senator Zaffirini, for what purpose do you rise?

TEXAS SENATE STAFF SERVICES
 RM:jgh/337/FLSB14012611CD1SI/031912
 82ND LEGISLATIVE SESSION
 EXCERPT: SENATE BILL 14
 JANUARY 26, 2011
 COMPACT DISC 1, SECTION I

Texas Senate
 Staff Services

7

ZAFFIRINI : For another Parliamentary inquiry.
 PRESIDENT : State your inquiry.
 ZAFFIRINI : I'm still concerned, Mr. President,
 because there is such a difference between the motion in writing, literally, as
 written, and our understanding of what it says, and that's why we've asked
 for so much clarification. I would suggest that perhaps we amend that
 motion in writing to specify specifically th--what the agreement is, and that is
 that we consider the bill at this point instead of at 9:30, so that particular
 rule, instead of all necessary rules, because while we may clarify it orally, the
 record will be that we are voting to suspend all necessary rules, and that is
 not our intent, to, at least not the intent of some of us. And I wish I had it in
 front of me. I would request that it be distributed, at least to those of us who
 are interested in this clarification. But I am concerned about the way it is
 written and the use of the terminology all necessary rules.
 : (Pause)
 PRESIDENT : Senator Zaffirini, if you'd approach
 with Senator Van de Putte, and, and Senator Fraser.
 : (Long pause)
 : (Inaudible, background conversation)
 FRASER : Mr. President.
 PRESIDENT : Senator Fraser.
 FRASER : I would like to withdraw my, my
 motion to suspend at this time.
 PRESIDENT : Thank you, and the (Parliamentelliet)
 (sic), the Parliamentarian will have a substitute motion for you in just a
 second.
 : (Long pause)
 : (Inaudible, background conversation)
 : (Laughter)
 : I know, (inaudible, background
 conversation)--
 : (Laughter)
 : (Background noise)
 : Uh-oh, (booking Betty), (talk travel
 guy's) (inaudible, background conversation)--
 : We're not too (inaudible, background
 conversation)--
 : (Yeah, I'm looking forward to it.)
 : (Just in case) (inaudible, background
 conversation) (Watson) (inaudible, background conversation)--
 : (Inaudible, background conversation)
 (sponsor our state parks) (inaudible, background conversation)--
 : Please don't.
 : This is weird.
 : (Background noise)

TEXAS SENATE STAFF SERVICES
 RM:jgh/337/FLSB14012611CD1SI/031912
 82ND LEGISLATIVE SESSION
 EXCERPT: SENATE BILL 14
 JANUARY 26, 2011
 COMPACT DISC 1, SECTION I

Texas Senate
 Staff Services

8

: (Laughter)
 : I think it's (inaudible, background
 conversation)--
 : No, I can't (inaudible, background
 conversation)--
 : No, seriously.
 : (Background noise)
 : (Looks like following motion in
 writing.)
 PRESIDENT : (Gavel) The Senate will come to order.
 The following motion in writing by Senator Fraser, the Secretary will read
 the motion in writing.
 SECRETARY : Mr. President, I move to suspend
 Senate Rule 511 and Senate Rule 712 to take up Senate Bill 14, at this time,
 which is set as a special order for 9:20 p.m. today, by Fraser.
 PRESIDENT : Senator Zaffirini, for what purpose?
 ZAFFIRINI : Simply for a question for the author of
 the motion in writing.
 PRESIDENT : Will Senator Fraser yield to Senator--
 FRASER : I will--
 PRESIDENT : --Zaffirini?
 FRASER : --yield.
 ZAFFIRINI : Thank you, Senator Fraser, and thank
 you for this new motion. And just to be very specific and so that everybody
 will understand what we are voting on. Specifically, we are voting on
 suspending the 24 (sic) layout rule and the special order rule that we adopted
 earlier, that is specifically Rule 511 and the printing rule, which is Rule 712,
 is that correct?
 FRASER : That is correct.
 ZAFFIRINI : And you will make other motions
 separately?
 FRASER : Yes.
 ZAFFIRINI : Thank you, Sir. Thank you, Mr.
 President.
 PRESIDENT : Thank you, Senator Zaffirini.
 : (Inaudible, background conversation)
 PRESIDENT : Members, you have a motion in wr--in
 writing in front of you. Is there any objection to the motion in writing, in
 front of you, by Senator Fraser? Hearing no objection, the motion in writing
 is adopted. (Gavel) Members, the Chair lays out on Second Reading, Senate
 Bill 14. The Secretary will read the caption.
 SECRETARY : Senate Bill 14, relating to
 requirements to vote, including presenting proof of identification, providing
 criminal penalties.
 PRESIDENT : (Chair recognizes)--

TEXAS SENATE STAFF SERVICES
 RM:jgh/337/FLSB14012611CD1SL/031912
 82ND LEGISLATIVE SESSION
 EXCERPT: SENATE BILL 14
 JANUARY 26, 2011
 COMPACT DISC 1, SECTION I

Texas Senate
 Staff Services

9

: (Inaudible, background conversation)
 PRESIDENT : --Senator Fraser, I'm about to recognize you. The Chair recognizes Senator Fraser to determine whether or not you wanna make a statement, or whether we're gonna go straight to amendments.

FRASER : The only thing I was gonna say is just give a quick description of the bill that went over last night, but I don't even, I think everyone knows what that is, if we'd like to go straight to amendments, we can. I don't (pause) le--Members, I now lay out Senate Bill 14 and I think there's amendments to the bill. I think we'll go directly to the bill. I think everyone is very aware of what the bill does.

: Yeah.
 PRESIDENT : I'm showing we have 37 amendments, so we, 37.

: (Inaudible, background conversation)
 PRESIDENT : The Chair lays out--
 : Is that committee amendment?

: (Inaudible, background conversation)
 PRESIDENT : --the Chair lays out Amendment Number 1 by Senator Watson. The Secretary will read the amendment.

SECRETARY : Floor Amendment Number 1 by Watson, Page 1 in your packet.

PRESIDENT : Senator Gallegos, for wha--for what purpose do you rise, Sir?

GALLEGOS : Mr. President, just point of information.

PRESIDENT : You're recognized.
 GALLEGOS : We're getting, we're getting back letters from certain agencies that we asked questions dur--durin' the Committee of the Whole, and on, on some of 'em, they're, they're pretty descriptive and I was wondering whether we could lay 'em o--put 'em in part of the record, either durin' the amendment, or just bring 'em up to you as we go--we just got some of these letters today, from the Secretary of State's Office an--and, and some others, and I (sic) just wondering, wa--at the proper time, you know, when would that be that we coul--that we could enter this into the record?

PRESIDENT : It would be up to y--you Senators, but I think an appropriate time would, to do that, Senator Gallegos, would be after we have gone through the amendments and then go ahead and present any additional information for the record.

GALLEGOS : And that's, that's the ruling of the Chair? I, I don't see Senator Duncan here. I wondered if he wouldn't o--object.

: (Long pause)
 : (Inaudible, background conversation)